



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Government Code Public Hearing, adoption of resolution making findings regarding the establishment of the Lodi Business Improvement Area No. 1, and introduction of an ordinance establishing "Lodi Business Improvement Area (BIA) No. 1"

**MEETING DATE:** December 3, 1997

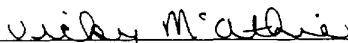
**PREPARED BY:** Economic Development Coordinator

**RECOMMENDED ACTION:** That the City Council conduct the Government Code Public Hearing as called for by California Code §54954.6(a)(2), adopt Resolution Making Findings Regarding the Establishment of the Lodi Business Improvement Area No. 1, and introduce an Ordinance establishing "Lodi Business Improvement Area No. 1" (BIA).

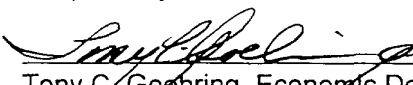
**BACKGROUND INFORMATION:** At a meeting of October 15, 1997, the City Council adopted Resolution No. 97-179 declaring its intention to establish Lodi Business Improvement Area No. 1 and setting public hearing/public meeting dates for November 5, 1997 and December 3, 1997 to consider the matter. On November 5, 1997, the first public hearing/public meeting was held during which testimony of all interested persons, for or against the establishment of the Area, was heard. One protest was received and recorded at the November 5th meeting. At this meeting, Council also endorsed staff's recommendation that the City's Finance Department assumes the responsibility for billing of BIA assessments and that the City of Lodi, through its Economic Development Department budget, provides a matching fund subsidy in an amount not to exceed \$40,000 as a means of "kick starting" the BIA formation and operation.

The purpose of this public hearing is twofold. First of all, the Council will again hear and consider all testimony, for or against the establishment of the Area. A protest against the Area, or any aspect of it may, again, be made orally or in writing. If at the conclusion of the public hearing there are of record, written protests by the owners of the businesses within the Area that will pay fifty percent (50%) or more of the total assessments of the entire Area, no further proceedings to create the Downtown Lodi Business Improvement Area shall occur. If at the conclusion of the public hearing there are less than 50% protest, Council will then proceed with introduction of the resolution and Ordinance. Secondly, Council is to consider the adoption of Resolution Making Findings Regarding the Establishment of the Lodi Business Improvement Area No. 1, and introduce the attached Ordinance establishing "Lodi Business Improvement Area No. 1". The second reading to consider adoption of the Ordinance will occur at the December 17, 1997 Council Meeting.

**FUNDING:** \$40,000 (Community Promotions) -- '97-'99 Financial Plan & Budget, (Page-96)

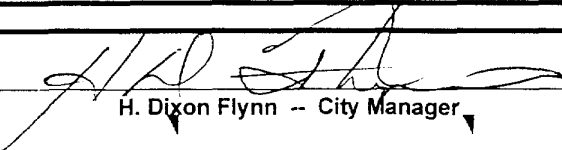
  
Vicky McAthle, Finance Director

Respectfully Submitted,

  
Tony C. Goehring, Economic Dev. Coordinator

Attachments

APPROVED: \_\_\_\_\_

  
H. Dixon Flynn -- City Manager

RESOLUTION NO. 97-198

A RESOLUTION OF THE LODI CITY COUNCIL  
MAKING FINDINGS REGARDING THE  
ESTABLISHMENT OF THE LODI BUSINESS  
IMPROVEMENT AREA NO. 1

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WHEREAS, on October 15, 1997, the City Council of the City of Lodi, (the "City"), adopted Resolution No. 97-179 (the "Resolution"), declaring its intention to establish a Parking and Business Improvement Area (hereinafter referred to as the "Area"), to levy a benefit assessment on all businesses, trades, professions, and vendors within said Area, the proceeds of which shall be used for the public purposes herein described to benefit the businesses in the Area, pursuant to the Parking and Business Improvement Area Law of 1989, Part 6 (commencing with §36500) of Division 18 of the California Streets and Highways Code (the "Act"); and,

WHEREAS, pursuant to the Act and the Resolution, City conducted a public hearing, after having given due notice thereof as required by law, on November 5, 1997, in City Council Chambers, at Carnegie Forum, 305 West Pine Street, Lodi, California; and

WHEREAS, said public hearing has been held and the City Council has heard and considered all oral and written protests and other comments regarding such proposed actions; and

WHEREAS, protests in writing from businesses in the proposed Area paying 50% or more of the proposed assessment have not been received; and

WHEREAS, this City Council has now determined to establish the proposed Area as a Parking and Business Improvement Area, to provide for the imposition of a benefit assessment and to adopt an ordinance to such effect; and

WHEREAS, in the opinion of this City Council, the businesses within the Area will be benefited by the expenditure of the funds raised by the assessments levied hereby in the manner prescribed herein; and

WHEREAS, this City Council may, for each of the purposes set forth in §36510 & §36513 of the Act, establish one or more separate benefit zones based upon the degree of benefit derived from the formation of the Area, and may impose a tiered assessment or charge within each of the benefit zones; and

WHEREAS, all provisions of the Act applicable to the establishment, modification, or disestablishment of an Area shall apply to the establishment, modification, or disestablishment of benefit zones pursuant to the Act, and the establishment or the modification of any benefit zone shall follow the same procedure as provided for under the establishment of a Parking and Business Improvement Area; and the disestablishment of a benefit zone shall follow the same procedure as provide for disestablishment of an Area; and

WHEREAS, upon the request of the Area Board of Directors, this City Council shall commence the proceedings required by law to amend the boundaries, assessments or charges established pursuant to an Ordinance subject to approval of the Board of Directors of the Area as expressly provided for herein; said modifications being made pursuant to the procedural requirements of the Act, but no assessment or charge shall be modified which would impair the ability of the Area to meet the obligations of a contract to construct or operate physical improvements in the Area; and

WHEREAS, adjustments may be made in the assessments or charges to businesses in the Area, or in the uses to which the revenue shall be put, as specified in an Ordinance and subject to Board approval, provided such changes are made by a supplemental Ordinance adopted after a hearing before the City Council; and

WHEREAS, for purposes of the assessments or charges to be imposed pursuant to an Ordinance, this City Council may make a reasonable classification of businesses, giving consideration to various factors, including general benefit to businesses and the degree of benefit received from Area programs; and

WHEREAS, the assessments or charges levied on businesses pursuant to an Ordinance shall, to the maximum extent feasible, be levied on the basis of the estimated benefit to the businesses within the Area.

Dated: December 3, 1997

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I hereby certify that Resolution No. 97-198 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 3, 1997 by the following vote:

AYES: Council Members -

NOES: Council Members -

ABSENT: Council Members -

ABSTAIN: Council Members -

ALICE M. REIMCHE  
City Clerk

ORDINANCE NO. 1654

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI  
AMENDING TITLE 12 – STREETS, SIDEWALKS AND PUBLIC  
PLACES ADDING CHAPTER 12.06 TO THE LODI MUNICIPAL  
CODE ESTABLISHING THE DOWNTOWN LODI BUSINESS  
IMPROVEMENT AREA.

=====

NOW THEREFORE the City Council of the City of Lodi does ordain as follows

SECTION 1. Chapter 12.06 is hereby added to the Lodi Municipal Code, to read as follows:

CHAPTER 12.06 DOWNTOWN LODI BUSINESS IMPROVEMENT AREA NO. 1.

- 1.0 Resolution of Intention, Public Hearing and Findings. The Recitals hereof, which set forth facts regarding the adoption of Council Resolutions, the conduct of public hearings and certain findings of the City Council, are true and correct and incorporated herein by reference.
- 2.0 Definitions. In order to distinguish between Area businesses and for the purpose of calculating and applying the amount of benefit fees owed, the following definitions shall apply:
  - (a) Retail Businesses: "Retail Businesses" include all businesses not covered by other definitions set out in this section, at least fifty percent (50%) of whose gross income is derived from "retail sales" as that term is defined under the California Sales and Use Tax Law. The fact that a substantial part of its business consists of sales other than retail sales does not exclude said business from this classification so long as such other business component does not account for more than fifty percent (50%) of said business' gross income;
  - (b) Restaurants: "Restaurant" businesses include cafes, eating establishments, sandwich shops, dinner houses, restaurants and fast food services and other similar businesses;
  - (c) Lodging: "Lodging" businesses include inns, hotels, motels, RV Parks and other similar businesses;
  - (d) Service: "Service" businesses include general office, news and advertising media, printers, photographers, personal care facilities and outlets, service stations, repairing and servicing businesses, renting and leasing businesses, utilities, vending machine businesses, household finance companies, entertainment businesses, theaters and other similar businesses not otherwise included in types 1, 2, and 4 hereof definitions a, b, c, e, or f of this Section;
  - (e) Professional: "Professional" includes attorneys, architects, accountants, engineers, surveyors, physicians, dentists, optometrists, chiropractors and others in a medical/health service field, consultants, real estate brokers,

financial advisors, laboratories (including dental and optical), hearing aid services, artists and designers.

(f) Financial: Banks, savings & loans, credit unions, etc.

(g) Billing Period: "Billing Period" shall refer to the period beginning January 1 to and including December 31 of any year.

3.0 Establishment of Boundaries. A parking and business improvement Area is hereby established pursuant to the Parking and Business Improvement Area Law of 1989, Streets and Highways Code §36500 et seq. (The Act). The boundaries of the Area and the benefit zones within the Area shall be as set forth on Exhibit "A", attached hereto and incorporated herein by reference. This Area shall be known as the "Downtown Lodi Business Improvement Area No.1" (the "Area").

4.0 Establishment of Area Board of Directors. There shall be a Board of Directors ("Board") of the Area to administer the affairs of the Area. Said Board shall be composed of no less than 10 nor more than 25 member businesses of the Area. The initial Board shall be approved by the City Council from a list of business operators located in the Area that is submitted by the Business Improvement Area Formation Committee. Within the Board there shall be a President, Vice-President, Secretary and Treasurer elected by the membership, and such other officers as deemed necessary by the Board. Such other officers shall be appointed by the Board of Directors at their discretion. All voting within the Area regarding election of Board Members and any actions regarding the normal and routine conducting of Area Business shall be based on one (1) vote per benefit fee dollar, and said voting business must be current in payment of their Area benefit fee(s) to participate in such votes.

5.0 Establishment of Benefit Fee. All businesses, trades, and professions located within the Area boundaries shown on Exhibit "A" shall, commencing January 1, 1998, pay an annual benefit fee in the following amounts:

Lodi Area Annual Benefit Fee

	Zone A	Zone B
Retailers and Restaurants	\$ 200. (1-3 emp.) 300. (4-6 emp.) 400. (7 + emp.)	\$ 100. 150. 200.
Service Businesses	\$ 150.	\$ 75.
Professional Businesses	\$ 100.	\$ 50.
Financial Institutions	\$ 500.	\$ 500.

6.0 Purpose and Use of Benefit Fees. The types of improvements and activities proposed to be funded by the benefit fee paid by businesses in the Area are as follows:

- a. Improvements including the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following improvements:
  - (1) Benches;
  - (2) Trash receptacles;
  - (3) Decorations;
  - (4) Facade improvements;
  - (5) Permanent landscaping
- b. Activities including but not limited to the following:
  - (1) Promotion of public events which benefit businesses in the area and which take place on or in public places within the area;
  - (2) Furnishing of music in any public place in the area;
  - (3) Activities which benefit businesses located and operating in the area, including but not limited to downtown shopping and promotional programs.

- 7.0 Exclusions From Benefit Fees. No person or business shall be required to pay a fee based on: (a) a residential use of the property within the Area, or (b) a non-profit organization as defined by §501 (C) (3) or 501 (C) (6) of the Internal Revenue Service Code located within the Area.
- 8.0 New Business Fee Waiver. Any new business established within the Area shall not be required to pay a fee for the Billing Period during which said business is initiated. The business will have been considered initiated on the date of issuance of the business license. This waiver shall not apply to an existing business that has changed ownership or location within the Area. City agrees to supply the Area Board with timely information regarding new businesses initiated within the Area.
- 9.0 Collection of Benefit Fee. The benefit fee authorized by this Ordinance for Lodi businesses (Section 5.0 hereof), shall be billed and collected once each Billing Period on January 1. City will bill and collect the fees, at no charge to the Area and forward all funds collected to the Area within 30 days of said collections. Late payment penalties shall be applied to businesses that do not provide their respective fee payments on the dates provided for herein at a rate of 10% per month. At such time as late payment penalties equate to 50% of the total annual fee, action shall be taken to recover said delinquent fees. Costs of this recovery shall be borne by the business owing the fee and late penalties. The Board and City shall develop collection procedures to implement the provisions of this paragraph.

- 10.0 Voluntary Contributions to Area. Contributions to the Area and its Board shall be permitted on a voluntary basis. The boundary of the Area shall not be modified as a result of the contribution, nor shall said contributing business be considered a member of the Area for voting or other purposes. However, said business making a voluntary contribution may be entitled to participate in the programs of the Area upon a finding by the Board of Directors that the Area derives a benefit from said business' participation in the program.
- 11.0 Annual Budget Process. Pursuant to the Act, it shall be necessary for the Board to present, by September 1, an annual budget for City Council review and approval prior to the beginning of any Billing Period. The purpose of this process is to comply with the Act provisions regarding public notice and hearing prior to establishing the benefit fees for the following Billing Period. City shall not adopt, modify or otherwise amend any Billing Period budget of the Area that is inconsistent in any way with said Billing Period's budget as agreed to and presented by the Board except in the case of a written majority protest (regarding elimination or modification of any specific budget item) from business owners which will pay 50% or more of the fees proposed to be levied as to any specific budget item pursuant to Streets and Highways Code §36525 (b). In such case the written protest regarding any specific budget item shall be grounds to eliminate or modify said expenditure from the Area's proposed budget pursuant to the written protest.
- 12.0 Decisions Regarding Expenditure of Funds. As provided for within the guidelines of The Act, decisions of the Board regarding expenditure of all funds generated under this program shall be final.
- 13.0 Area Proceeds Do Not Offset City Services. City specifically finds and declares that the funds derived from the Area shall not be used to offset or diminish current maintenance, capital improvement programs, including but not limited to, public property and sidewalk cleaning, street cleaning and maintenance, tree maintenance, restroom cleaning and maintenance. The City declares its intent to provide at least the same level and standard of maintenance and repair of public property within the Area providing City funds are available from year to year.
- 14.0 Public Parking. The proceeds of the benefit fees established hereunder shall not be used to acquire and/or construct additional public parking, unless such use of the funds is first approved by a majority vote of the Area members voting.
- 15.0 Disestablishment of the Area. Proceeding to disestablish the Area shall be initiated by the City Council following the presentation of a petition to the City Council signed by business owners paying 50% or more of the fees levied in the Area. Proceedings to disestablish the Area shall follow the procedures set forth in Streets and Highways Code § 36550. The City Council shall disestablish the Area if, following the public hearing prescribed in §36550 (b), written protests are not withdrawn so as to reduce the protests below the 50% level. In the event of disestablishment of the Area, remaining revenues of the Area maintained by the Board shall be refunded to paying business owners in a pro-rata manner calculated in the same manner as was used to establish the most recent fees applied in the Area.

Section 2. - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 5. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this \_\_\_\_ day of \_\_\_\_\_, 1997

\_\_\_\_\_  
PHILLIP A. PENNINO  
Mayor

Attest:

ALICE M. REIMCHE  
City Clerk  
State of California  
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1654 was introduced at a regular meeting of the City Council of the City of Lodi held December 3, 1997 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held \_\_\_\_\_, 1997 by the following vote:

Ayes:	Council Members -
Noes:	Council Members -
Absent:	Council Members -
Abstain:	Council Members -



I further certify that Ordinance No. 1654 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

ALICE M. REIMCHE  
City Clerk

Approved as to Form:

RANDALL A. HAYS  
City Attorney



State License No. 316417

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CITY CLERK  
CITY OFFICE

Nov. 3, 1997

City Clerk, Alice Reimche  
City Hall  
221 W. Pine St.  
Lodi, CA. 95240

Dear Mrs. Reimche, City Clerk:

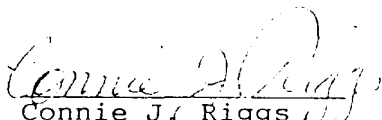
RE: City Resolution #97-179 Establishment of BIA

This letter is to document our formal written protest  
against the establishment of the Business Improvement Dist.,  
also known as BIA.

We understand this will be discussed at the upcoming City  
Council meeting on November 5, 1997. Enclosed is a copy  
of the letter we have mailed to all five of the City Council-  
men on this date for your information.

Please make it known we have filed a written protest as  
instructed in City Resolution #97-179. Thank you for your very  
kind attention to this issue.

Sincerely,

  
Connie J. Riggs  
Co-Owner

  
Ronald Riggs  
Co-Owner

SINCE 1947

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CITY CLERK  
CITY OF LODI

Nov. 3, 1997

Councilman Phil Pennino  
1502 Keagle Way  
Lodi, CA. 95242

Dear Councilman Pennino:

RE: City Resolution #97-179 Establishment of the BIA

According to the above resolution, in order to count in the majority protest against the Area, the protest must be in writing. The resolution continues to state that if at the conclusion of the public hearings there are of record, written protest by the owners of the businesses within the Area that will pay fifty percent (50%) or more of the total assessments of the entire Area, no further proceedings to create the Downtown Business Improvement Area shall occur. This letter is written to voice our written protest against the establishment of the BIA.

We are against the establishment of the area for a number of various reasons. But a few of the reasons are stated below:

Even though this is called an assessment. What ever you want to call it, it is an extra tax to us. We apparently have no choice, if established. We have enough tax and restrictions on our business already. We chose to become an small independent business owner for a reason, to be "independent".

We don't like the fact that we have to pay the same rate as a business on School Street. If School Street businesses had a higher rate than us we may reconsider the district. But no matter what you tell me, a business on a side street does not benefit as much as a business directly on School Street. Do you know that when we were assessed for the improvements that were made downtown, we paid the same rate as a business on School Street, although we did not get new sidewalks or the paving stones on the streets. All we got was a new light and tree, and much less parking for customers (which we have heard many complaints of). And our business volume has decreased 35% since construction started in March. WOW.

To promote holiday themes does not benefit us at all. The only holiday that gives a customer a reason to buy new flooring is the Thanksgiving-Christmas holidays. People do not buy new flooring for Mother's Day, Back-To-School, etc. It is too late for our business when the downtown promotions are put on for the Thanksgiving-Christmas holidays. The majority of our flooring jobs that are done for these holidays are booked in October, because most people want their new flooring in by Thanksgiving. They do not want their home to be torn over the holidays. So the big After Thanksgiving promotions do not benefit us.

I could go on for pages with reasons why we are against this. But for your benefit, I will cut it short. And one last thing, the promotion "Shop Downtown Lodi" is a farce. How many councilmen or the city of Lodi make it a point to shop Downtown Lodi, or even Lodi at all. They don't, and we could see it during the down construction, and who was doing the actual work. This is a real sore subject for us.

Sincerely,

Donnie J. Riggs,  
Co-Owner

Ronald Riggs,  
Co-Owner

Incl.

cc: Councilmen Land, Mann, Sieglock & Warner

**In regards to the Resolution of Intention to Establish the Downtown Lodi Business Improvement Area No. 1, the City Clerk's office did the following:**

- Mailed Resolution No. 97-179 (Exhibit A) entitled, "A Resolution of the Lodi City Council Declaring Its Intention to Establish the Downtown Lodi Business Improvement Area" to 274 property owners (mailing list attached as Exhibit B) on October 16, 1997;
- Posted Resolution No. 97-179 at the Lodi Public Library, Lodi Police Public Safety Building and Lodi City Hall Lobby on October 16, 1997;
- Advertised Resolution No. 97-179 in the Lodi News Sentinel on October 20, 1997, October 21, 1997, October 22, 1997, October 23, 1997, October 24, 1997, October 25, 1997 and October 27, 1997.

Appropriate documentation is on file in the City Clerk's office.

**\*\*Exhibit C indicates those mailings that were returned  
by the Post Office\*\***

RESOLUTION NO. 97-179

A RESOLUTION OF THE LODI CITY COUNCIL  
DECLARING ITS INTENTION TO ESTABLISH THE  
DOWNTOWN LODI BUSINESS IMPROVEMENT AREA

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WHEREAS, the California Streets and Highways Code Section 36500 et seq., authorizes cities to establish Parking and Business Improvement Areas for the purpose of promoting economic revitalization and physical maintenance of business areas in order to create jobs, attract new business and prevent erosion of the business area; and

WHEREAS, the Downtown Lodi Business Improvement Area Formation Committee ("the Committee") has requested the Lodi City Council to establish such an Improvement Area.

NOW THEREFORE the City Council of the City of Lodi does hereby resolve, determine, and find as follows:

1. The recitals set forth herein are true and correct.
2. The City Council does, at the request of the Committee, and pursuant to the California Streets and Highways Code, declare its intention to establish the "Lodi Business Improvement Area No. 1" ("the Area").
3. The boundaries of the entire area to be included in the Area, and the boundaries of each separate benefit zone within the Area, are set forth in the Map, EXHIBIT A, incorporated herein by reference. A true and correct copy of the map is on file with the City Clerk of the City of Lodi.
4. The types of improvements and activities proposed to be funded by the levy of assessments on business in the Area are in EXHIBIT B hereto and incorporated by reference.
5. The City Council intends to levy an annual benefit assessment on businesses in the Area, except where funds are otherwise available, to pay for all improvements and activities of the Area.
6. All funds of the Area shall be expended on improvements and activities within the Area.

7. The method and the basis for levying the assessments on all the businesses within the Area are set forth in the EXHIBIT C hereto, incorporated herein by reference.
8. New businesses shall be exempt from assessment until the next billing period following their establishment occurs.
9. A public hearing to establish the Area is hereby set for November 5, 1997, at 7:00 p.m. or as soon thereafter as possible before the City Council of the City of Lodi, at the Carnegie Forum, 305 West Pine Street, Lodi, CA. This public hearing shall be deemed to be the public meeting called for by California Government Code §54954.6(a)(1). Additionally, the City Council further establishes the date of December 3, 1997 as the date for the public hearing called for by California Government Code §54954.6(a)(2). The hearing is to be held before the City Council of the City of Lodi at the Carnegie Forum, 305 West Pine Street, Lodi, CA at 7:00 p.m. or as soon thereafter as possible.
10. At the public hearing the testimony of all interested persons, for or against the establishment of the Area interested in matters concerning the boundaries of the Area, the areas of benefit within the Area and the assessments to be levied, will be heard.
11. A protest against the Area, or any aspect of it may be made orally or in writing. An oral protest shall be made at the said public hearing. To count in the majority protest against the Area, a protest must be in writing. A written protest may be withdrawn from writing at any time before the conclusion of the public hearing. Each written protest shall obtain a written description of the business in which the person signing the protest is interested, sufficient to identify the business, and its address. If the person signing the protest is not shown on the official records of the City of Lodi as the owner of the business, then the protest shall contain or be accompanied by written evidence that the person is the owner of the business. Any written protest as to the regularity or sufficiency of the proceedings shall be in writing and clearly state the irregularity or defect to which objection is made.
12. If at the conclusion of the public hearing there are of record, written protest by the owners of the businesses within the Area that will pay fifty percent (50%) or more of the total assessments of the entire Area, no further proceedings to create the Downtown Lodi Business Improvement Area shall occur. New proceedings to form the Area shall not be undertaken again for a period of at least one (1) year from the date of the finding of the majority written protest by the City Council. If the majority written protest is only as to an improvement or activity proposed, then that type of improvement or activity shall not be included in the Area.

13. Further information regarding the proposed Downtown Lodi Improvement Area may be obtained from the City Clerk of the City of Lodi, at City Hall, 221 West Pine Street or telephone (209) 333-6702.
14. The City Clerk is instructed to provide notice of the public hearing as follows:
  - a. Publish this Resolution of Intention in a newspaper of general circulation in the City of Lodi once, for at least seven (7) days before the hearing.
  - b. Mail a complete copy of this Resolution of Intention to each and every business owner in the Area within seven (7) days of the adoption of this Resolution by the City Council.
15. This Resolution is effective on its adoption.

Dated: October 15, 1997

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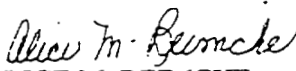
I hereby certify that the foregoing to be a true, full and correct copy of Resolution No. 97-179, duly passed and adopted by the Lodi City Council in a regular meeting held October 15, 1997 by the following vote:

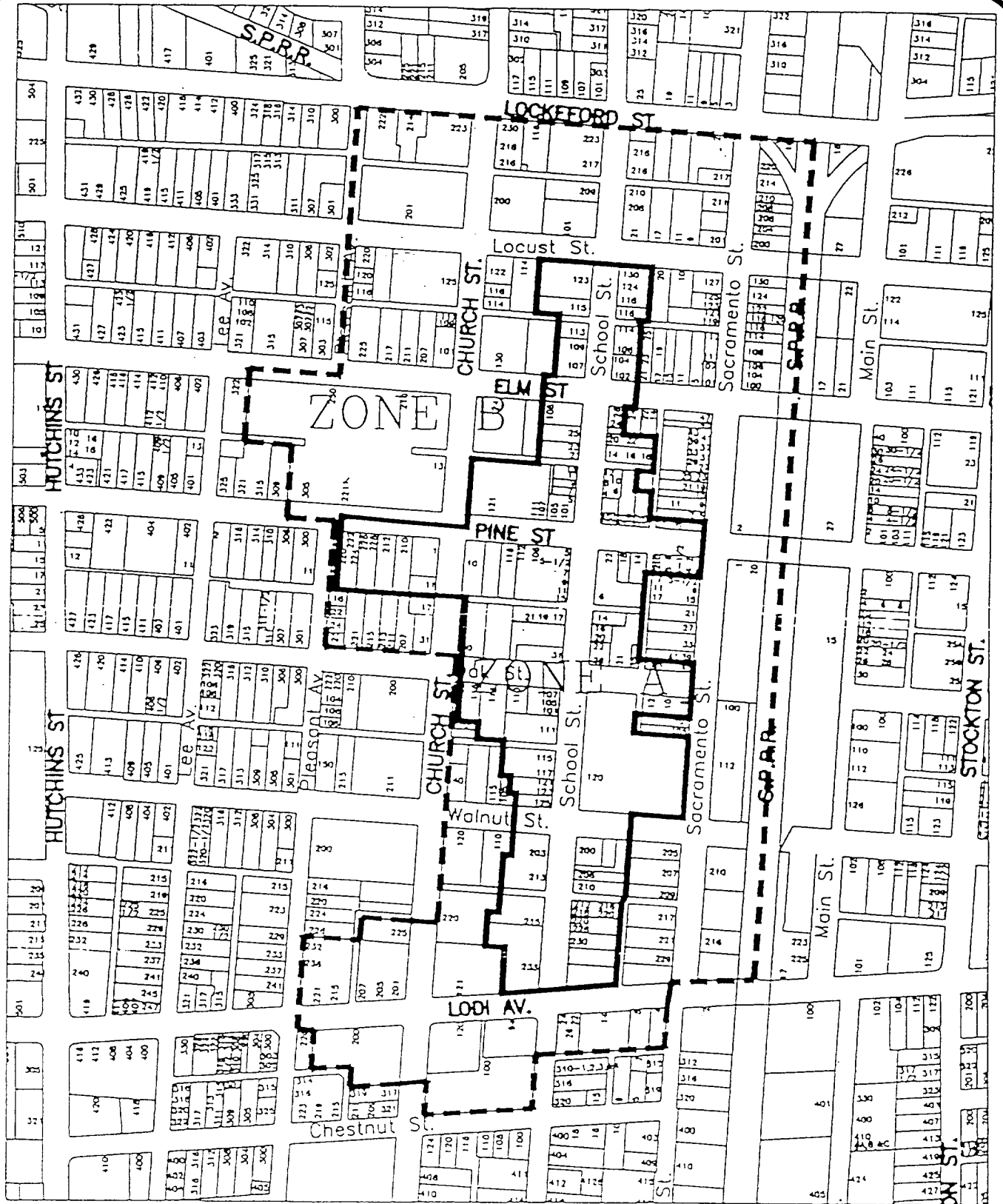
AYES: COUNCIL MEMBERS - Land, Mann, Sieglock, Warner and Pennino  
(Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None

  
ALICE M. REIMCHE  
City Clerk



PROPOSED BIA BOUNDARIES



## EXHIBIT B

### NARRATIVE DESCRIPTION OF BIA PROGRAMS

Funds from the BIA will be used to establish but are not limited to the following programs:

A. Image Building:

- “Shop Lodi First” campaign intended to discourage community shoppers from going to nearby malls and community areas.
- Periodic institutional campaigns centered around prime shopping times – Easter, Christmas, etc.

B. Retail Events and Activities:

- Art Fairs
- Street Fairs
- Sidewalk Sales
- Back to School Sales
- Holiday Festivities
- Patriotic Themes

C. Coordinated Marketing Activities:

- Advertising supplements for local newspapers
- Direct mail promotions

D. Streetscape Involvement's

- Trash receptacles
- Flowers and plants at selected locations
- Physical cleanup of streets and sidewalks
- High visibility facade improvements

E. Commercial Recruitment and Retention

- Work with the City's Economic Development coordinator and the Chamber of Commerce to actively seek the most suitable business to fill existing vacancies or vacancies as they occur.
- Provide support services to existing businesses needing assistance in order to remain in the downtown area.

## EXHIBIT C

### AREA ASSESSMENT FORMULA

The BIA is a self-motivated business program funded by an annual assessment based on a formula developed by the Committee, made up entirely of downtown business owners.

The assessment formula is based on type of business and location in order to offer a fair and equitable charge for each business in the Area. The assessment will be collected by the City and turned over in total to downtown businesses for use to fund an annual and year-to-year program of economic stimulation and business enhancement.

All business owners stand to benefit to a much greater extent than what the annual fee might be.

A. Business Type Definitions:

- Retail: The buying and reselling of tangible goods.
- Restaurant and Bar: Selling prepared foods or drinks.
- Service: Offers intangible services of a non-professional nature.
  - Lodging is included in this classification.
- Finance: Offers banking-related services.

B. Proposed Lodi BIA Annual Benefit Fee

	Zone A	Zone B
Retailers and Restaurants	\$200.00 (1-3 emp.) \$300.00 (4-6 emp.) \$400.00 (7+ emp.)	\$100.00 \$150.00 \$200.00
Service Businesses	\$150.00	\$ 75.00
Professional Businesses	\$100.00	\$ 50.00
Financial Institutions	\$500.00	\$500.00

## MAILING LIST

EXHIBIT B

Page No. 1  
10/09/97Resolution of Intention for Business Improvement Area  
(BIA) No. 1

PIN	ADDRESS			
396	101	N	CHURCH ST	DEJONG INSURANCE
0	101	N	CHURCH ST	BECKREST ADVERTISING
397	109	N	CHURCH ST	BECKMAN
398	111	N	CHURCH ST	RENAISSANCE HAIR
399	114	N	CHURCH ST	SCHAFER, SUESS & BOYD
2572	118	N	CHURCH ST	SCHAFER, SUESS & BOYD
400	122	N	CHURCH ST	SCHAFER REALTORS
401	125	N	CHURCH ST	LODI NEWS SENTINEL
402	200	N	CHURCH ST	STOCKTON SAVINGS & LOAN
403	223	N	CHURCH ST	PAUL'S SAFE LOCK & KEY
404	223 A	N	CHURCH ST	PAUL'S SAFE LOCK & KEY
405	230	N	CHURCH ST	CAIN ELECTRIC
427	17	S	CHURCH ST	GUILD CLEANERS
428	110	S	CHURCH ST	HOUSE OF CLOCKS
429	112	S	CHURCH ST	LODI BEAUTY SHOPPE
430	220	S	CHURCH ST	HEILIG-MEYERS FURNITURE
2265	229	S	CHURCH ST	BANK OF THE WEST
0	19		DOWNTOWN MALL	VISIBLE CHANGES
0	21		DOWNTOWN MALL	FENILY GALLERY
0	40		DOWNTOWN MALL	CHELSEY'S
526	5	W	ELM ST	TOKAY QUICK PRINTING
527	7	W	ELM ST	RASHID IMPORTS
531	16	W	ELM ST	YELLOW ROSE ANTIQUES
532	18	W	ELM ST	SHANNON RANCHES INC.
533	20	W	ELM ST	HOOVER CARPET
537	27	W	ELM ST	LEGENDS
541	225 A	W	ELM ST	DONOVAN, JOHN COMPANY
542	225 C	W	ELM ST	DONOVAN, JOHN COMPANY
1088	222 1	W	LOCKEFORD ST	WAHLEN STATE FARM
0	222 10	W	LOCKEFORD	DELLAMONICA, SNYDER ARCH
1089	222 2	W	LOCKEFORD ST	SCOTT DASKO, ARCHITECT
1090	222 3	W	LOCKEFORD ST	HESELTIME REALTY
1092	222 5	W	LOCKEFORD ST	TOKAY REALTY
1093	222 6	W	LOCKEFORD ST	DERMAL CLINIC
1095	222 8	W	LOCKEFORD ST	DEGUSA ELECTRONIC
1096	222 9	W	LOCKEFORD ST	PACIFIC FIELD SERVICE
1179	9	W	LOCUST ST	EHLERS HOLDING INC.
1181	10	W	LOCUST ST	BANK OF LODI N.A.
1183	20	W	LOCUST ST	VALLEY PAINTS INC.
1184	21	W	LOCUST ST	PANTEL HOUSE OF LIGHTS
2292	101 2	W	LOCUST ST	SCHAFER, SUESS & BOYD
2292	101 3	W	LOCUST ST	SCHAFER, SUESS & BOYD
0	101 4	W	LOCUST	THE STOCKTON RECORD

PIN	ADDRESS		
1269	1	W	LODI AV
1270	4	W	LODI AV
1271	16	W	LODI AV
1272	21	W	LODI AV
2665	22	W	LODI AV
2666	24	W	LODI AV
1273	26	W	LODI AV
1274	100	W	LODI AV
1275	120	W	LODI AV
1277	200	W	LODI AV
1278	201	A W	LODI AV
1279	203	W	LODI AV
1280	205	W	LODI AV
1281	207	W	LODI AV
1286	221	W	LODI AV
			THE TUNE UP SHOP
			DANGIER FURNITURE
			LONG JOHN SILVERS
			PIZZA HUT
			COMIC GRAPEVINE
			THE BOOK GARDEN
			RYDEL VACUUM INC
			LONGS DRUGS
			WELLS FARGO BANK
			MCDONALD'S HAMBURGERS
			HONEY TREAT YOGURT SHOP
			LODI VIDEO CORP.
			LODI VIDEO CORP.
			CHECK N GO
			PINE AUTO SUPPLY
1518	3	W	OAK ST
1519	6	W	OAK ST
1520	7	W	OAK ST
1522	10	W	OAK ST
0	10	B W	OAK
1524	12	W	OAK ST
1525	15	W	OAK ST
1528	110	W	OAK ST
1529	118	A W	OAK ST
2309	207	W	OAK ST
0	207	W	OAK ST
2623	215	1 W	OAK ST
1535	215	2 W	OAK ST
1536	215	3 W	OAK ST
1537	215	4 W	OAK ST
2607	215	5 W	OAK ST
1997	215	6 W	OAK ST
0	215	W	OAK ST
1538	221	A W	OAK ST
1539	221	B W	OAK ST
1540	221	C W	OAK ST
0	221	W	OAK ST
1541	225	W	OAK ST
			CALIFORNIA STYLES
			KNUDERT & BAUER APPLIANC
			REO'S APPLIANCE
			TAQUERIA JACISCO
			FOTO FACTORY
			RAILROAD JUNCTION
			GIENGER'S FLOORS
			LIVING WAY BOOK STORE
			ROSA LAW OFFICE
			RUSSELS HAIR SALOON
			SKIN SENSE
			VACANT
			CERTIFIED LOSS CONTROL
			CINDI'S BOOKKEEPING
			UNEKA NAILS & FACIALS
			FARMERS INSURANCE
			DAVID P. WARNER, ATTORNE
			F & I TAX SERVICE
			BAKER-PEARSON
			AMERICAN INV SERVICE
			FAMILY OF EAGLES
			TIM BERTSCH INSURANCE
			OFFICE OF LINDA LOFTHUS
1630	1	W	PINE ST
1631	2	W	PINE ST
1632	3	W	PINE ST
1636	6	W	PINE ST
1637	7	W	PINE ST
2836	10	W	PINE ST
1641	11	W	PINE ST
1642	12	W	PINE ST
1643	13	W	PINE ST
1644	14	W	PINE ST
			PAK-INDIA
			GRAFFIGNIA FRUIT CO.
			STUDIO SUNWEST
			SIEGFRIED'S
			FASHION BEAUTY SALON
			H & R BLOCK
			LINCOLN SHOE REPAIR
			PACIFIC GAS & ELECTRIC
			ALICIAS ANTIQUES
			INTIMATES

PIN	ADDRESS			
1646	15	W	PINE ST	ABRAHAMSON'S PRINTING
1647	16	W	PINE ST	PINE ST. BARE FURNITURE
1648	17	W	PINE ST	FRANK'S BUSINESS MACHINE
1649	18	W	PINE ST	FRAMES & FINE THINGS
0	21	W	PINE	SISONS KARATE
1651	100	W	PINE ST	SQUIRE'S CLOTHIER
2711	103	W	PINE ST	SECOND THOUGHT
1652	105	W	PINE ST	GERTIES PLACE
1654	108	W	PINE ST	LODI TAILOR SHOP
1656	111	W	PINE ST	F & M EXECUTIVE OFFICES
1657	112	W	PINE ST	PERSONAL TOUCH
1658	114	W	PINE ST	CAPRI PIZZA
1660	121	W	PINE ST	FARMERS & MERCHANTS BANK
1661	121	205 W	PINE ST	PROFESSIONAL CORP. ATTYS
1664	218	W	PINE ST	GERARD & GERARD
1665	220	W	PINE ST	FIRESIDE THRIFT CO
1667	222	W	PINE ST	PHOTO INSTANT PRINT
1668	224	W	PINE ST	KEN SATO STUDIO
1669	226	W	PINE ST	SOMERSAULTS
1670	228	W	PINE ST	PUFF-N-STUFF
2496	116	N	PLEASANT AV	KIM VEERKAMP CPA
0	125	N	PLEASANT	STEVEN CUTIRELL OFFICE
2451	238	S	PLEASANT AV	PINE AUTO WAREHOUSE
1755	29	N	SACRAMENTO ST	ROY'S CLUB
1756	31	N	SACRAMENTO ST	ROY'S CLUB
2343	35	N	SACRAMENTO ST	MUSIC, GAMES OUTLET
1758	41	N	SACRAMENTO ST	JAKE & CLAY'S BARBER SHO
1759	43	N	SACRAMENTO ST	SINALOA CAFE
2362	45	A N	SACRAMENTO ST	POOL HALL
1761	47	N	SACRAMENTO ST	HASSAN'S WAREHOUSE
1762	100	N	SACRAMENTO ST	JOE HASSAN CLOTHING
1763	101	N	SACRAMENTO ST	PAYLESS MARKET
1764	107	N	SACRAMENTO ST	DELICIAS RESTURANT
1765	108	N	SACRAMENTO ST	GRAFFIGNA'S BROTHERS
2714	110	N	SACRAMENTO ST	NAPA AUTO PARTS
1768	114	N	SACRAMENTO ST	LODI SPORTS CLUB
1769	116	N	SACRAMENTO ST	RAINBOW CLUB
1770	117	N	SACRAMENTO ST	EL GRUELENSE CAFE
1771	118	N	SACRAMENTO ST	EL TROPICAL CLUB
1772	119	N	SACRAMENTO ST	GUADALAJARA CAFE
1773	119	1/2 N	SACRAMENTO ST	GUADALAJARA ROOMS
1775	124	N	SACRAMENTO ST	ALAMO RADIATOR
1776	125	N	SACRAMENTO ST	MAZATLAN CAFE
1777	127	N	SACRAMENTO ST	MAZATLAN CAFE
1778	130	N	SACRAMENTO ST	GUNDERSHAUG ELECTRIC
1779	200	N	SACRAMENTO ST	SAK'S TV
1780	201	N	SACRAMENTO ST	GERIG'S IMPORT AUTO SERV
2715	204	N	SACRAMENTO ST	SAK'S TV & APPLIANCE
1784	214	N	SACRAMENTO ST	WRIGHTS MOTORS

PIN	ADDRESS		
1785	217	N	SACRAMENTO ST
1826	7	S	SACRAMENTO ST
2819	9	S	SACRAMENTO ST
1827	11	S	SACRAMENTO ST
1831	21	S	SACRAMENTO ST
1832	27	S	SACRAMENTO ST
1834	41	S	SACRAMENTO ST
1835	100	S	SACRAMENTO ST
1836	101	S	SACRAMENTO ST
2344	210	S	SACRAMENTO ST
1838	216	S	SACRAMENTO ST
1839	217	S	SACRAMENTO ST
3013	218	S	SACRAMENTO ST
2863	221	S	SACRAMENTO ST
1840	221	A	SACRAMENTO ST
1841	221	B	SACRAMENTO ST
			EHRLERS AUTO SERVICE
			PLAYBOY CLUB
			ADULT PLEASURE WORLD
			VACANT
			HENDERSON BROS. HARDWARE
			RASHID IMPORTS
			MOORE'S KARATE
			GIANT DISCOUNT TIRE
			MORRIS AUTO SUPPLY
			JIM'S CUSTOM MACHINE
			PERALES AUTOMOTIVE
			HENDERSON SHEET METAL
			FRANK'S AUTO FACTORY
			BLEWETT DAIRY
			OGRENS
			SANDOVAL SALSA
0	4	N	SCHOOL
1878	5	N	SCHOOL ST
1880	6	N	SCHOOL ST
2452	8	N	SCHOOL ST
1881	9	N	SCHOOL ST
1882	10	N	SCHOOL ST
1883	11	N	SCHOOL ST
1884	12	N	SCHOOL ST
1886	13	N	SCHOOL ST
1887	14	N	SCHOOL ST
1888	16	N	SCHOOL ST
1890	20	N	SCHOOL ST
1891	21	N	SCHOOL ST
1892	22	N	SCHOOL ST
0	24	A	SCHOOL
1895	25	N	SCHOOL ST
1896	26	N	SCHOOL ST
1897	28	N	SCHOOL ST
1898	102	N	SCHOOL ST
0	104	100	N SCHOOL ST
0	104	202	N SCHOOL ST
0	104	203	N SCHOOL ST
0	104	204	N SCHOOL ST
0	104	206	N SCHOOL ST
0	104	209	N SCHOOL ST
0	104	212	N SCHOOL ST
0	104	213	N SCHOOL ST
0	104	214	N SCHOOL
0	104	214	N SCHOOL ST
0	104	215	N SCHOOL ST
0	104	306	N SCHOOL ST
0	104	307	N SCHOOL ST
0	104	309	N SCHOOL ST
0	104	310	N SCHOOL ST
0	104	313	N SCHOOL ST
			CORY BUILDING
			CHRISTENSEN'S FASHIONS
			SONSHINE NUTRITION
			FARMERS & MERCHANTS BANK
			BORELLI JEWELLS
			BITTERMAN'S JEWELRY
			11 NORTH - APPAREL
			TUXEDOS OF LODI
			T.J.'S SALOON
			MICKEY'S ANTIQUES
			THE CLOTHES CLOSET
			TEALBROOK GALLERY
			LODI OFFICE PRODUCTS
			OLLIE'S TAVERN
			SHARED NETWORK SERVICES
			LAW OFFICES - ADAMS
			ANGELOS
			ANGELO'S
			LEGENDS
			US SAFETY PRODUCTS
			ANITA'S TAX SERVICE
			TUCKER FINANCIAL MANGMT
			JAMES GRAVE ATTORNEY
			TURBETTI MUSIC STUDIO
			JOHN PYLE ATTORNEY
			JOEL FAX
			MOUNTAIN VALLEY
			DRY CREEK REALTY
			FUBERAL IN BERLIN
			TRAVIS-PATENT LAWYER
			NALC BP1452
			STEVE WORLEY
			BENIFICIAL MASSAGE
			HEALTH TOUCH
			SUPERIOR MORTGAGE

PIN	ADDRESS			
0	104	314	N	SCHOOL ST
0	104	315	N	SCHOOL ST
2313	106		N	SCHOOL ST
1905	108		N	SCHOOL ST
1906	110		N	SCHOOL ST
1909	114		N	SCHOOL ST
1910	115	1	N	SCHOOL ST
1911	115	2	N	SCHOOL ST
1912	115	3	N	SCHOOL ST
1914	115	4	N	SCHOOL ST
1913	115	5	N	SCHOOL ST
1915	116	A	N	SCHOOL ST
1917	120		N	SCHOOL ST
1918	123		N	SCHOOL ST
2820	124		N	SCHOOL ST
1919	130		N	SCHOOL ST
1921	210		N	SCHOOL ST
1922	216		N	SCHOOL ST
1935	5		S	SCHOOL ST
1936	5	1/2	S	SCHOOL ST
2719	6		S	SCHOOL ST
2720	6	A	S	SCHOOL ST
1938	9		S	SCHOOL ST
1939	10		S	SCHOOL ST
2722	11		S	SCHOOL ST
1940	13		S	SCHOOL ST
1941	14		S	SCHOOL ST
1942	14	A	S	SCHOOL ST
1943	15		S	SCHOOL ST
1944	17		S	SCHOOL ST
1945	20		S	SCHOOL ST
1946	22		S	SCHOOL ST
1948	31		S	SCHOOL ST
2723	35		S	SCHOOL ST
2933	101		S	SCHOOL ST
1955	121	B	S	SCHOOL ST
1957	125		S	SCHOOL ST
1959	203		S	SCHOOL ST
1960	208		S	SCHOOL ST
1961	210		S	SCHOOL ST
1962	212		S	SCHOOL ST
1963	213		S	SCHOOL ST
1964	215		S	SCHOOL ST
1965	216		S	SCHOOL ST
1966	218		S	SCHOOL ST
1967	220		S	SCHOOL ST
1968	222		S	SCHOOL ST
1969	226		S	SCHOOL ST
1970	230		S	SCHOOL ST
1971	233		S	SCHOOL ST
2201	105		W	WALNUT ST

DJ HENRY
VINYL JUNKEEZ
EMPRESA BAILON
TOM'S USED BOOKS
LASTING IMPRESSIONS
CYBER-TEC
KURT H. SIEBERT OFFICE
NOR CAL
RINN & ELLIOTT
CHRISSY'S TOTAL IMAGE
CHRISSY'S TOTAL IMAGE
LAVERNE'S COFFEE SHOP
MIZ M'S
GIERHART & WELLS FUNERAL
SAKS WAREHOUSE
VALLEY PAINTS
PERRY, KENNETH
SILVER BULLET ENTERPRISE
SUN AMERICAN SECURITIES
LODI BARBER SHOP
THORNTON HOUSE
PATRICIA'S
THE DAISY SHOP
THORNTON HOUSE
L & L TRAVEL
GARRY'S LOUNGE
HELMSMAN PRNTG & GRAPHIC
BENEFICIAL FINANCE
CARLOTTAS
PRET
ELIZABETH OF CALIF., THE
IMAGE HAIR STUDIO
BANK OF AMERICA
LODI CHAMBER OF COMMERCE
CAPITAL THRIFT
KING TSIN RESTAURANT
SYNOWICKI'S JEWEL BOX
COTTAGE BAKERY
POSER'S TV
JDW DESIGNS INC
EL PAJARO
COTTAGE BAKERY
ROCHA'S MORTUARY
SECURITY LOCK AND KEY
KIDCO
DANZ JEWELERS
CUTTING EDGE
BURTON'S SHOES
FYFFE'S AUTO REPAIR
LYON'S RESTAURANT
LARRY'S COINS

Page No. 6  
10/09/97

PIN	ADDRESS			
2204	115	1	W	WALNUT ST
2205	115	2	W	WALNUT ST
2206	115	4	W	WALNUT ST
2207	120		W	WALNUT ST

P.O. Box 343, Acampo, CA 95220

SHAKLEE PRODUCTS  
LEN-ELL ENTERPRISES  
CREATIVE SERVICES  
BANK OF STOCKTON  
HAZEL'S RESTAURANT

Added to List:

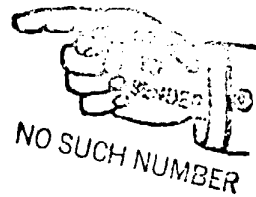
Current Business Owner  
Weil Motors  
2 West Lockeford Street  
Lodi, CA 95240

Current Business Owner  
First National Bank of Marin  
200 S. School Street  
Lodi, CA 95240

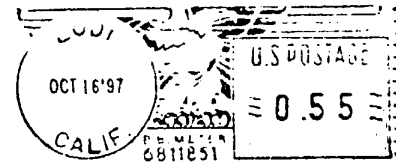


**CITY OF LODI**

CITY HALL, 221 W. PINE ST.  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910



NO SUCH NUMBER



cc

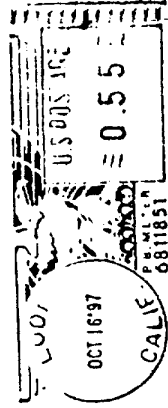
CURRENT BUSINESS OWNER  
PROFESSIONAL CORP. ATTYS  
121 205 W PINE ST  
LODI, CA 95240



EXHIBIT C

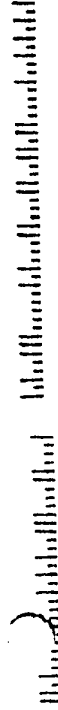
**CITY OF LODI**

CITY HALL, 221 W. PINE ST.  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910



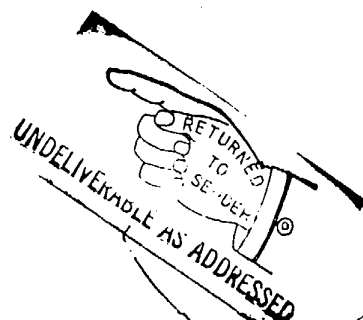
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CURRENT BUSINESS OWNER  
CORY BUILDING  
4 N SCHOOL  
LODI, CA 95240



# CITY OF LODI

CITY HALL, 221 W. PINE ST.  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910



CURRENT BUSINESS OWNER  
POOL HALL  
45 A N SACRAMENTO ST  
LODI, CA 95240

952400206 1N 07 10/20/97

\*\*\*\*\*  
\* ZONE SEPARATOR \*  
\*\*\*\*\*

95240>2125 11

# CITY OF LODI

CITY HALL, 221 W. PINE ST.  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910

RETURNED  
TO  
SENDER  
UNDELIVERABLE AS ADDRESSED



CURRENT BUSINESS OWNER  
BANK OF LODI N.A.  
10 W LOCUST ST

BANK010 952400206 1N 07 10/20/97  
RETURN TO SENDER

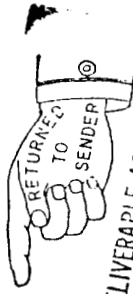
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UNABLE TO FORWARD  
RETURN TO SENDER

9524002136 11



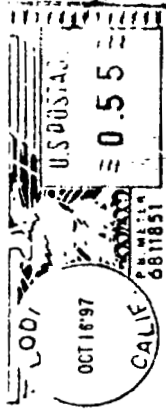
**CITY OF LODI**

CITY HALL, 221 W. PINE ST.  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910



UNDELIVERABLE AS ADDRESSED

CURRENT BUSINESS OWNER  
SUPERIOR MORTGAGE  
104 313 N SCHOOL ST  
LODI, CA 95240



SUPE313 952400219 IN 06 10/21/97  
RETURN TO SENDER  
NO FORWARD ORDER ON FILE  
UNABLE TO FORWARD  
RETURN TO SENDER

95240-2146 11

95240-2146 11

CITY OF LODI  
CITY HALL, 221 W. PINE ST.  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910

RETURNED  
TO  
SENDER  
UNDELIVERABLE AS ADDRESSED

CURRENT BUSINESS OWNER  
NALC BP1452  
104 306 N SCHOOL ST  
LODI, CA 95240

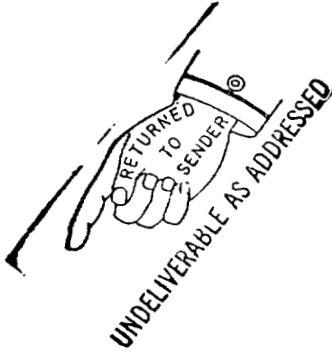
95240>2146 11



952400219 IN 06 10/21/97  
\*\*\*\*\*  
\* ZONE SEPARATOR \*  
\*\*\*\*\*

**CITY OF LODI**

CITY HALL, 221 W. PINE ST.  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910



CURRENT BUSINESS OWNER  
STEVE WORLEY  
104 307 N SCHOOL ST  
LODI, CA 95240

WORL307 952400234 IN 07 10/23/97  
RETURN TO SENDER  
NO FORWARD ORDER ON FILE  
UNABLE TO FORWARD  
RETURN TO SENDER

9524002146 11



RESOLUTION NO. 97-198

A RESOLUTION OF THE LODI CITY COUNCIL  
MAKING FINDINGS REGARDING THE  
ESTABLISHMENT OF THE LODI BUSINESS  
IMPROVEMENT AREA NO. 1

---

WHEREAS, on October 15, 1997, the City Council of the City of Lodi, (the "City"), adopted Resolution No. 97-179 (the "Resolution"), declaring its intention to establish a Parking and Business Improvement Area (hereinafter referred to as the "Area"), to levy a benefit assessment on all businesses, trades, professions, and vendors within said Area, the proceeds of which shall be used for the public purposes herein described to benefit the businesses in the Area, pursuant to the Parking and Business Improvement Area Law of 1989, Part 6 (commencing with §36500) of Division 18 of the California Streets and Highways Code (the "Act"); and,

WHEREAS, pursuant to the Act and the Resolution, City conducted a public hearing, after having given due notice thereof as required by law, on November 5, 1997, in City Council Chambers, at Carnegie Forum, 305 West Pine Street, Lodi, California; and

WHEREAS, said public hearing has been held and the City Council has heard and considered all oral and written protests and other comments regarding such proposed actions; and

WHEREAS, protests in writing from businesses in the proposed Area paying 50% or more of the proposed assessment have not been received; and

WHEREAS, this City Council has now determined to establish the proposed Area as a Parking and Business Improvement Area, to provide for the imposition of a benefit assessment and to adopt an ordinance to such effect; and

WHEREAS, in the opinion of this City Council, the businesses within the Area will be benefited by the expenditure of the funds raised by the assessments levied hereby in the manner prescribed herein; and

WHEREAS, this City Council may, for each of the purposes set forth in §36510 & §36513 of the Act, establish one or more separate benefit zones based upon the degree of benefit derived from the formation of the Area, and may impose a tiered assessment or charge within each of the benefit zones; and

WHEREAS, all provisions of the Act applicable to the establishment, modification, or disestablishment of an Area shall apply to the establishment, modification, or disestablishment of benefit zones pursuant to the Act, and the establishment or the modification of any benefit zone shall follow the same procedure as provided for under the establishment of a Parking and Business Improvement Area; and the disestablishment of a benefit zone shall follow the same procedure as provide for disestablishment of an Area; and



WHEREAS, upon the request of the Area Board of Directors, this City Council shall commence the proceedings required by law to amend the boundaries, assessments or charges established pursuant to an Ordinance subject to approval of the Board of Directors of the Area as expressly provided for herein; said modifications being made pursuant to the procedural requirements of the Act, but no assessment or charge shall be modified which would impair the ability of the Area to meet the obligations of a contract to construct or operate physical improvements in the Area; and

WHEREAS, adjustments may be made in the assessments or charges to businesses in the Area, or in the uses to which the revenue shall be put, as specified in an Ordinance and subject to Board approval, provided such changes are made by a supplemental Ordinance adopted after a hearing before the City Council; and

WHEREAS, for purposes of the assessments or charges to be imposed pursuant to an Ordinance, this City Council may make a reasonable classification of businesses, giving consideration to various factors, including general benefit to businesses and the degree of benefit received from Area programs; and

WHEREAS, the assessments or charges levied on businesses pursuant to an Ordinance shall, to the maximum extent feasible, be levied on the basis of the estimated benefit to the businesses within the Area.

Dated: December 3, 1997

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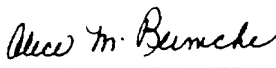
I hereby certify that Resolution No. 97-198 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 3, 1997 by the following vote:

AYES: Council Members – Land, Mann, Sieglock, Warner and Pennino  
(Mayor)

NOES: Council Members - None

ABSENT: Council Members - None

ABSTAIN: Council Members - None

  
ALICE M. REIMCHE  
City Clerk



## DECLARATION OF MAILING

### Resolution No. 97-179 entitled, "A Resolution of the Lodi City Council Declaring its Intention to Establish the Downtown Lodi Business Improvement Area"

On Thursday, October 16, 1997, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

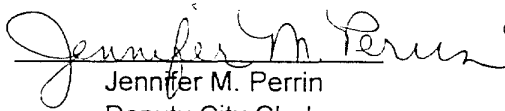
Executed on October 16, 1997, at Lodi, California.

ORDERED BY:

**ALICE M. REIMCHE**  
CITY CLERK

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Jacqueline L. Taylor  
Deputy City Clerk

  
Jennifer M. Perrin  
Deputy City Clerk

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Susan Seward-Lake  
Administrative Clerk

## RESOLUTION NO. 97-179

A RESOLUTION OF THE LODI CITY COUNCIL  
DECLARING ITS INTENTION TO ESTABLISH THE  
DOWNTOWN LODI BUSINESS IMPROVEMENT AREA

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WHEREAS, the California Streets and Highways Code Section 36500 et seq., authorizes cities to establish Parking and Business Improvement Areas for the purpose of promoting economic revitalization and physical maintenance of business areas in order to create jobs, attract new business and prevent erosion of the business area; and

WHEREAS, the Downtown Lodi Business Improvement Area Formation Committee ("the Committee") has requested the Lodi City Council to establish such an Improvement Area.

NOW THEREFORE the City Council of the City of Lodi does hereby resolve, determine, and find as follows:

1. The recitals set forth herein are true and correct.
2. The City Council does, at the request of the Committee, and pursuant to the California Streets and Highways Code, declare its intention to establish the "Lodi Business Improvement Area No. 1" ("the Area").
3. The boundaries of the entire area to be included in the Area, and the boundaries of each separate benefit zone within the Area, are set forth in the Map, EXHIBIT A, incorporated herein by reference. A true and correct copy of the map is on file with the City Clerk of the City of Lodi.
4. The types of improvements and activities proposed to be funded by the levy of assessments on business in the Area are in EXHIBIT E hereto and incorporated by reference.
5. The City Council intends to levy an annual benefit assessment on businesses in the Area, except where funds are otherwise available, to pay for all improvements and activities of the Area.
6. All funds of the Area shall be expended on improvements and activities within the Area.

7. The method and the basis for levying the assessments on all the businesses within the Area are set forth in the EXHIBIT C hereto, incorporated herein by reference.
8. New businesses shall be exempt from assessment until the next billing period following their establishment occurs.
9. A public hearing to establish the Area is hereby set for November 5, 1997, at 7:00 p.m. or as soon thereafter as possible before the City Council of the City of Lodi, at the Carnegie Forum, 305 West Pine Street, Lodi, CA. This public hearing shall be deemed to be the public meeting called for by California Government Code §54954.6(a)(1). Additionally, the City Council further establishes the date of December 3, 1997 as the date for the public hearing called for by California Government Code §54954.6(a)(2). The hearing is to be held before the City Council of the City of Lodi at the Carnegie Forum, 305 West Pine Street, Lodi, CA at 7:00 p.m. or as soon thereafter as possible.
10. At the public hearing the testimony of all interested persons, for or against the establishment of the Area interested in matters concerning the boundaries of the Area, the areas of benefit within the Area and the assessments to be levied, will be heard.
11. A protest against the Area, or any aspect of it may be made orally or in writing. An oral protest shall be made at the said public hearing. To count in the majority protest against the Area, a protest must be in writing. A written protest may be withdrawn from writing at any time before the conclusion of the public hearing. Each written protest shall obtain a written description of the business in which the person signing the protest is interested, sufficient to identify the business, and its address. If the person signing the protest is not shown on the official records of the City of Lodi as the owner of the business, then the protest shall contain or be accompanied by written evidence that the person is the owner of the business. Any written protest as to the regularity or sufficiency of the proceedings shall be in writing and clearly state the irregularity or defect to which objection is made.
12. If at the conclusion of the public hearing there are of record, written protest by the owners of the businesses within the Area that will pay fifty percent (50%) or more of the total assessments of the entire Area, no further proceedings to create the Downtown Lodi Business Improvement Area shall occur. New proceedings to form the Area shall not be undertaken again for a period of at least one (1) year from the date of the finding of the majority written protest by the City Council. If the majority written protest is only as to an improvement or activity proposed, then that type of improvement or activity shall not be included in the Area.

13. Further information regarding the proposed Downtown Lodi Improvement Area may be obtained from the City Clerk of the City of Lodi, at City Hall, 221 West Pine Street or telephone (209) 333-6702.
14. The City Clerk is instructed to provide notice of the public hearing as follows:
  - a. Publish this Resolution of Intention in a newspaper of general circulation in the City of Lodi once, for at least seven (7) days before the hearing.
  - b. Mail a complete copy of this Resolution of Intention to each and every business owner in the Area within seven (7) days of the adoption of this Resolution by the City Council.
15. This Resolution is effective on its adoption.

Dated: October 15, 1997

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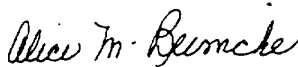
I hereby certify that the foregoing to be a true, full and correct copy of Resolution No. 97-179, duly passed and adopted by the Lodi City Council in a regular meeting held October 15, 1997 by the following vote:

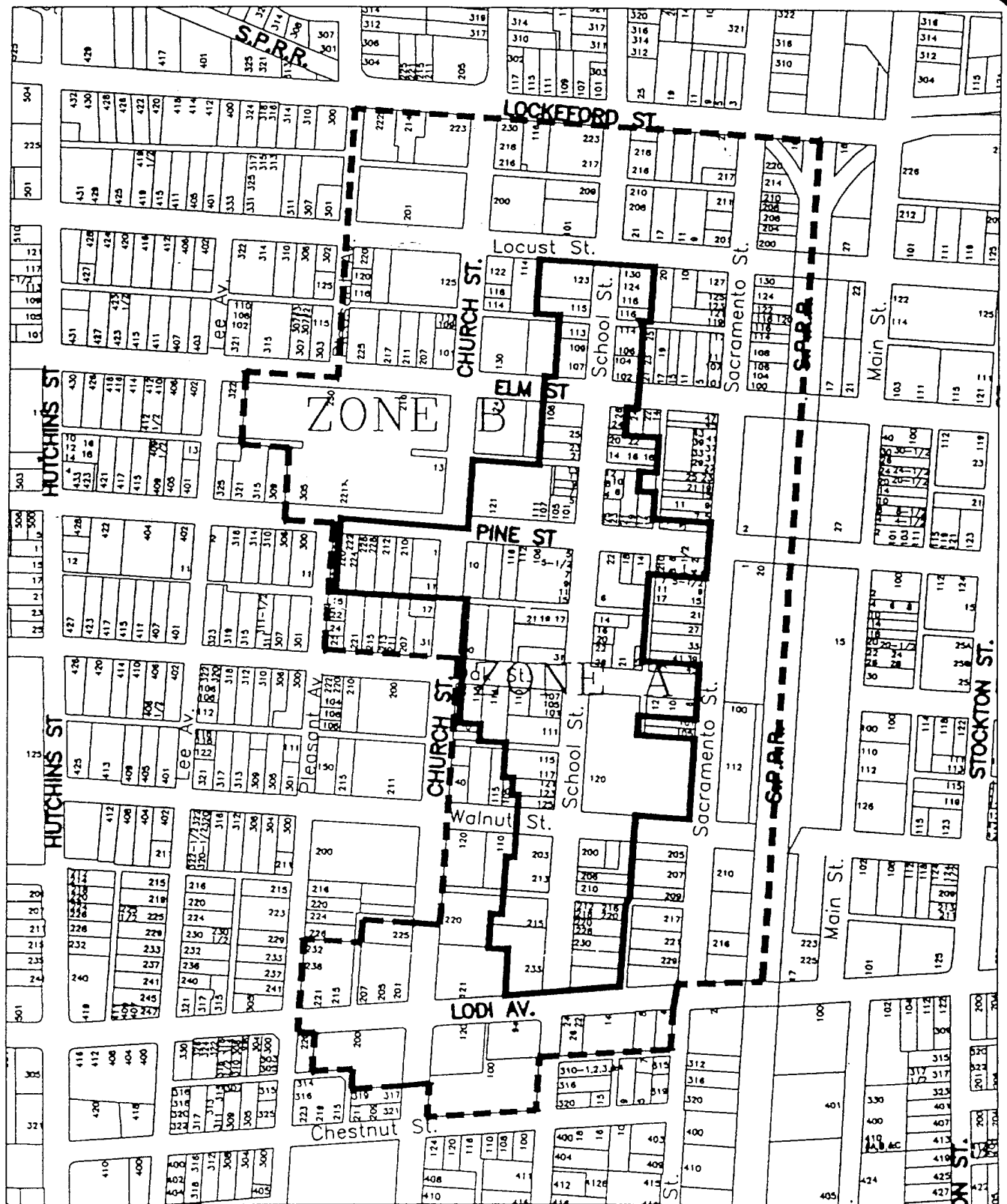
AYES: COUNCIL MEMBERS -- Land, Mann, Sieglock, Warner and Pennino  
(Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None

  
ALICE M. REIMCHE  
City Clerk



PROPOSED BIA BOUNDARIES

## EXHIBIT B

### NARRATIVE DESCRIPTION OF BIA PROGRAMS

Funds from the BIA will be used to establish but are not limited to the following programs:

A. Image Building:

- “Shop Lodi First” campaign intended to discourage community shoppers from going to nearby malls and community areas.
- Periodic institutional campaigns centered around prime shopping times – Easter, Christmas, etc.

B. Retail Events and Activities:

- Art Fairs
- Street Fairs
- Sidewalk Sales
- Back to School Sales
- Holiday Festivities
- Patriotic Themes

C. Coordinated Marketing Activities:

- Advertising supplements for local newspapers
- Direct mail promotions

D. Streetscape Involvement's

- Trash receptacles
- Flowers and plants at selected locations
- Physical cleanup of streets and sidewalks
- High visibility facade improvements

E. Commercial Recruitment and Retention

- Work with the City's Development coordinator and the Chamber of Commerce to actively seek the most suitable business to fill existing vacancies or vacancies as they occur.
- Provide support services to existing businesses needing assistance in order to remain in the downtown area.

## EXHIBIT C

### AREA ASSESSMENT FORMULA

The BIA is a self-motivated business program funded by an annual assessment based on a formula developed by the Committee, made up entirely of downtown business owners.

The assessment formula is based on type of business and location in order to offer a fair and equitable charge for each business in the Area. The assessment will be collected by the City and turned over in total to downtown businesses for use to fund an annual and year-to-year program of economic stimulation and business enhancement.

All business owners stand to benefit to a much greater extent than what the annual fee might be.

A. Business Type Definitions:

- Retail: The buying and reselling of tangible goods.
- Restaurant and Bar: Selling prepared foods or drinks.
- Lodging: Businesses include inns, hotels, motels, RV Parks and other similar businesses.
- Service: Offers intangible services of a non-professional nature.
- Finance: Offers banking-related services.

B. Proposed Lodi BIA Annual Benefit Fee

	Zone A	Zone B
Retailers and Restaurants	\$200.00 (1-3 emp.) \$300.00 (4-6 emp.) \$400.00 (7+ emp.)	\$100.00 \$150.00 \$200.00
Service Businesses	\$150.00	\$ 75.00
Professional Businesses	\$100.00	\$ 50.00
Financial Institutions	\$500.00	\$500.00



MAILING LISTPage No. 1  
10/09/97Resolution of Intention for Business Improvement Area  
(BIA) No. 1

PIN	ADDRESS			
396	101	N	CHURCH ST	DEJONG INSURANCE
0	101	N	CHURCH ST	BECKREST ADVERTISING
397	109	N	CHURCH ST	BECKMAN
398	111	N	CHURCH ST	RENAISSANCE HAIR
399	114	N	CHURCH ST	SCHAFFER, SUESS & BOYD
2572	118	N	CHURCH ST	SCHAFFER, SUESS & BOYD
400	122	N	CHURCH ST	SCHAFFER REALTORS
401	125	N	CHURCH ST	LODI NEWS SENTINEL
402	200	N	CHURCH ST	STOCKTON SAVINGS & LOAN
403	223	N	CHURCH ST	PAUL'S SAFE LOCK & KEY
404	223	A	CHURCH ST	PAUL'S SAFE LOCK & KEY
405	230	N	CHURCH ST	CAIN ELECTRIC
427	17	S	CHURCH ST	GUILD CLEANERS
428	110	S	CHURCH ST	HOUSE OF CLOCKS
429	112	S	CHURCH ST	LODI BEAUTY SHOPPE
430	220	S	CHURCH ST	HEILIG-MEYERS FURNITURE
2265	229	S	CHURCH ST	BANK OF THE WEST
0	19		DOWNTOWN MALL	VISIBLE CHANGES
0	21		DOWNTOWN MALL	FENILY GALLERY
0	40		DOWNTOWN MALL	CHELSEY'S
526	5	W	ELM ST	TOKAY QUICK PRINTING
527	7	W	ELM ST	RASHID IMPORTS
531	16	W	ELM ST	YELLOW ROSE ANTIQUES
532	18	W	ELM ST	SHANNON RANCHES INC.
533	20	W	ELM ST	HOOVER CARPET
537	27	W	ELM ST	LEGENDS
541	225	A	ELM ST	DONOVAN, JOHN COMPANY
542	225	C	ELM ST	DONOVAN, JOHN COMPANY
1088	222	1	W LOCKEFORD ST	WAHLEN STATE FARM
0	222	10	W LOCKEFORD	DELLAMONICA, SNYDER ARCH
1089	222	2	W LOCKEFORD ST	SCOTT DASKO, ARCHITECT
1090	222	3	W LOCKEFORD ST	HELSELTIME REALTY
1092	222	5	W LOCKEFORD ST	TOKAY REALTY
1093	222	6	W LOCKEFORD ST	DERMAL CLINIC
1095	222	8	W LOCKEFORD ST	DEGUSA ELECTRONIC
1096	222	9	W LOCKEFORD ST	PACIFIC FIELD SERVICE
1179	9	W	LOCUST ST	EHLERS HOLDING INC.
1181	10	W	LOCUST ST	BANK OF LODI N.A.
1183	20	W	LOCUST ST	VALLEY PAINTS INC.
1184	21	W	LOCUST ST	PANTEL HOUSE OF LIGHTS
2292	101	2	W LOCUST ST	SCHAFFER, SUESS & BOYD
2293	101	3	W LOCUST ST	SCHAFFER, SUESS & BOYD
0	101	4	W LOCUST	THE STOCKTON RECORD

PIN	ADDRESS		
1269	1	W	LODI AV
1270	4	W	LODI AV
1271	16	W	LODI AV
1272	21	W	LODI AV
2665	22	W	LODI AV
2666	24	W	LODI AV
1273	26	W	LODI AV
1274	100	W	LODI AV
1275	120	W	LODI AV
1277	200	W	LODI AV
1278	201	A	LODI AV
1279	203	W	LODI AV
1280	205	W	LODI AV
1281	207	W	LODI AV
1286	221	W	LODI AV
			THE TUNE UP SHOP
			DANGIER FURNITURE
			LONG JOHN SILVERS
			PIZZA HUT
			COMIC GRAPEVINE
			THE BOOK GARDEN
			RYDEL VACUUM INC
			LONGS DRUGS
			WELLS FARGO BANK
			MCDONALD'S HAMBURGERS
			HONEY TREAT YOGURT SHOP
			LODI VIDEO CORP.
			LODI VIDEO CORP.
			CHECK N GO
			PINE AUTO SUPPLY
1518	3	W	OAK ST
1519	6	W	OAK ST
1520	7	W	OAK ST
1522	10	W	OAK ST
0	10	B	OAK
1524	12	W	OAK ST
1525	15	W	OAK ST
1528	110	W	OAK ST
1529	118	A	OAK ST
2309	207	W	OAK ST
0	207	W	OAK ST
2623	215	1	W OAK ST
1535	215	2	W OAK ST
1536	215	3	W OAK ST
1537	215	4	W OAK ST
2607	215	5	W OAK ST
1997	215	6	W OAK ST
0	215	W	OAK ST
1538	221	A	W OAK ST
1539	221	B	W OAK ST
1540	221	C	W OAK ST
0	221	W	OAK ST
1541	225	W	OAK ST
			CALIFORNIA STYLES
			KNUDERT & BAUER APPLIANC
			REO'S APPLIANCE
			TAQUERIA JACISCO
			FOTO FACTORY
			RAILROAD JUNCTION
			GIENGER'S FLOORS
			LIVING WAY BOOK STORE
			ROSA LAW OFFICE
			RUSSELS HAIR SALOON
			SKIN SENSE
			VACANT
			CERTIFIED LOSS CONTROL
			CINDI'S BOOKKEEPING
			UNEKA NAILS & FACIALS
			FARMERS INSURANCE
			DAVID P. WARNER, ATTORNE
			F & I TAX SERVICE
			BAKER-PEARSON
			AMERICAN INV SERVICE
			FAMILY OF EAGLES
			TIM BERTSCH INSURANCE
			OFFICE OF LINDA LOFTHUS
1630	1	W	PINE ST
1631	2	W	PINE ST
1632	3	W	PINE ST
1636	6	W	PINE ST
1637	7	W	PINE ST
2836	10	W	PINE ST
1641	11	W	PINE ST
1642	12	W	PINE ST
1643	13	W	PINE ST
1644	14	W	PINE ST
			PAK-INDIA
			GRAFFIGNIA FRUIT CO.
			STUDIO SUNWEST
			SIEGFRIED'S
			FASHION BEAUTY SALON
			H & R BLOCK
			LINCOLN SHOE REPAIR
			PACIFIC GAS & ELECTRIC
			ALICIAS ANTIQUES
			INTIMATES

PIN	ADDRESS			
1646	15	W	PINE ST	ABRAHAMSON'S PRINTING
1647	16	W	PINE ST	PINE ST. BARE FURNITURE
1648	17	W	PINE ST	FRANK'S BUSINESS MACHINE
1649	18	W	PINE ST	FRAMES & FINE THINGS
0	21	W	PINE	SISONS KARATE
1651	100	W	PINE ST	SQUIRE'S CLOTHIER
2711	103	W	PINE ST	SECOND THOUGHT
1652	105	W	PINE ST	GERTIES PLACE
1654	108	W	PINE ST	LODI TAILOR SHOP
1656	111	W	PINE ST	F & M EXECUTIVE OFFICES
1657	112	W	PINE ST	PERSONAL TOUCH
1658	114	W	PINE ST	CAPRI PIZZA
1660	121	W	PINE ST	FARMERS & MERCHANTS BANK
1661	121	205 W	PINE ST	PROFESSIONAL CORP. ATTYS
1664	218	W	PINE ST	GERARD & GERARD
1665	220	W	PINE ST	FIRESIDE THRIFT CO
1667	222	W	PINE ST	PHOTO INSTANT PRINT
1668	224	W	PINE ST	KEN SATO STUDIO
1669	226	W	PINE ST	SOMERSAULTS
1670	228	W	PINE ST	PUFF-N-STUFF
2496	116	N	PLEASANT AV	KIM VEERKAMP CPA
0	125	N	PLEASANT	STEVEN CUTIRELL OFFICE
2451	238	S	PLEASANT AV	PINE AUTO WAREHOUSE
1755	29	N	SACRAMENTO ST	ROY'S CLUB
1756	31	N	SACRAMENTO ST	ROY'S CLUB
2343	35	N	SACRAMENTO ST	MUSIC, GAMES OUTLET
1758	41	N	SACRAMENTO ST	JAKE & CLAY'S BARBER SHO
1759	43	N	SACRAMENTO ST	SINALOA CAFE
2362	45	A N	SACRAMENTO ST	POOL HALL
1761	47	N	SACRAMENTO ST	HASSAN'S WAREHOUSE
1762	100	N	SACRAMENTO ST	JOE HASSAN CLOTHING
1763	101	N	SACRAMENTO ST	PAYLESS MARKET
1764	107	N	SACRAMENTO ST	DELICIAS RESTURANT
1765	108	N	SACRAMENTO ST	GRAFFIGNA'S BROTHERS
2714	110	N	SACRAMENTO ST	NAPA AUTO PARTS
1768	114	N	SACRAMENTO ST	LODI SPORTS CLUB
1769	116	N	SACRAMENTO ST	RAINBOW CLUB
1770	117	N	SACRAMENTO ST	EL GRUELENSE CAFE
1771	118	N	SACRAMENTO ST	EL TROPICAL CLUB
1772	119	N	SACRAMENTO ST	GUADALAJARA CAFE
1773	119	1/2 N	SACRAMENTO ST	GUADALAJARA ROOMS
1775	124	N	SACRAMENTO ST	ALAMO RADIATOR
1776	125	N	SACRAMENTO ST	MAZATLAN CAFE
1777	127	N	SACRAMENTO ST	MAZATLAN CAFE
1778	130	N	SACRAMENTO ST	GUNDERSHAUG ELECTRIC
1779	200	N	SACRAMENTO ST	SAK'S TV
1780	201	N	SACRAMENTO ST	GERIG'S IMPORT AUTO SERV
2715	204	N	SACRAMENTO ST	SAK'S TV & APPLIANCE
1784	214	N	SACRAMENTO ST	WRIGHTS MOTORS

PIN	ADDRESS			
1785	217	N	SACRAMENTO ST	EHLERS AUTO SERVICE
1826	7	S	SACRAMENTO ST	PLAYBOY CLUB
2819	9	S	SACRAMENTO ST	ADULT PLEASURE WORLD
1827	11	S	SACRAMENTO ST	VACANT
1831	21	S	SACRAMENTO ST	HENDERSON BROS. HARDWARE
1832	27	S	SACRAMENTO ST	RASHID IMPORTS
1834	41	S	SACRAMENTO ST	MOORE'S KARATE
1835	100	S	SACRAMENTO ST	GIANT DISCOUNT TIRE
1836	101	S	SACRAMENTO ST	MORRIS AUTO SUPPLY
2344	210	S	SACRAMENTO ST	JIM'S CUSTOM MACHINE
1838	216	S	SACRAMENTO ST	PERALES AUTOMOTIVE
1839	217	S	SACRAMENTO ST	HENDERSON SHEET METAL
3013	218	S	SACRAMENTO ST	FRANK'S AUTO FACTORY
2863	221	S	SACRAMENTO ST	BLEWETT DAIRY
1840	221 A	S	SACRAMENTO ST	OGRENS
1841	221 B	S	SACRAMENTO ST	SANDOVAL SALSA
0	4	N	SCHOOL	CORY BUILDING
1878	5	N	SCHOOL ST	CHRISTENSEN'S FASHIONS
1880	6	N	SCHOOL ST	SONSHINE NUTRITION
2452	8	N	SCHOOL ST	FARMERS & MERCHANTS BANK
1881	9	N	SCHOOL ST	BORELLI JEWELLS
1882	10	N	SCHOOL ST	BITTERMAN'S JEWELRY
1883	11	N	SCHOOL ST	11 NORTH - APPAREL
1884	12	N	SCHOOL ST	TUXEDOS OF LODI
1886	13	N	SCHOOL ST	T.J.'S SALOON
1887	14	N	SCHOOL ST	MICKEY'S ANTIQUES
1888	16	N	SCHOOL ST	THE CLOTHES CLOSET
1890	20	N	SCHOOL ST	TEALBROOK GALLERY
1891	21	N	SCHOOL ST	LODI OFFICE PRODUCTS
1892	22	N	SCHOOL ST	OLLIE'S TAVERN
0	24 A	N	SCHOOL	SHARED NETWORK SERVICES
1895	25	N	SCHOOL ST	LAW OFFICES - ADAMS
1896	26	N	SCHOOL ST	ANGELOS
1897	28	N	SCHOOL ST	ANGELO'S
1898	102	N	SCHOOL ST	LEGENDS
0	104 100	N	SCHOOL ST	US SAFETY PRODUCTS
0	104 202	N	SCHOOL ST	ANITA'S TAX SERVICE
0	104 203	N	SCHOOL ST	TUCKER FINANCIAL MANGMT
0	104 204	N	SCHOOL ST	JAMES GRAVE ATTORNEY
0	104 206	N	SCHOOL ST	TURBETTI MUSIC STUDIO
0	104 209	N	SCHOOL ST	JOHN PYLE ATTORNEY
0	104 212	N	SCHOOL ST	JOEL FAX
0	104 213	N	SCHOOL ST	MOUNTAIN VALLEY
0	104 214	N	SCHOOL	DRY CREEK REALTY
0	104 214	N	SCHOOL ST	FUBERAL IN BERLIN
0	104 215	N	SCHOOL ST	TRAVIS-PATENT LAWYER
0	104 306	N	SCHOOL ST	NALC BP1452
0	104 307	N	SCHOOL ST	STEVE WORLEY
0	104 309	N	SCHOOL ST	BENIFICIAL MASSAGE
0	104 310	N	SCHOOL ST	HEALTH TOUCH
0	104 313	N	SCHOOL ST	SUPERIOR MORTGAGE

PIN	ADDRESS				
0	104	314	N	SCHOOL ST	DJ HENRY
0	104	315	N	SCHOOL ST	VINYL JUNKEEZ
2313	106		N	SCHOOL ST	EMPRESA BAILON
1905	108		N	SCHOOL ST	TOM'S USED BOOKS
1906	110		N	SCHOOL ST	LASTING IMPRESSIONS
1909	114		N	SCHOOL ST	CYBER-TEC
1910	115	1	N	SCHOOL ST	KURT H. SIEBERT OFFICE
1911	115	2	N	SCHOOL ST	NOR CAL
1912	115	3	N	SCHOOL ST	RINN & ELLIOTT
1914	115	4	N	SCHOOL ST	CHRISSY'S TOTAL IMAGE
1913	115	5	N	SCHOOL ST	CHRISSY'S TOTAL IMAGE
1915	116	A	N	SCHOOL ST	LAVERNE'S COFFEE SHOP
1917	120		N	SCHOOL ST	MIZ M'S
1918	123		N	SCHOOL ST	GIERHART & WELLS FUNERAL
2820	124		N	SCHOOL ST	SAKS WAREHOUSE
1919	130		N	SCHOOL ST	VALLEY PAINTS
1921	210		N	SCHOOL ST	PERRY, KENNETH
1922	216		N	SCHOOL ST	SILVER BULLET ENTERPRISE
1935	5		S	SCHOOL ST	SUN AMERICAN SECURITIES
1936	5	1/2	S	SCHOOL ST	LODI BARBER SHOP
2719	6		S	SCHOOL ST	THORNTON HOUSE
2720	6	A	S	SCHOOL ST	PATRICIA'S
1938	9		S	SCHOOL ST	THE DAISY SHOP
1939	10		S	SCHOOL ST	THORNTON HOUSE
2722	11		S	SCHOOL ST	L & L TRAVEL
1940	13		S	SCHOOL ST	GARRY'S LOUNGE
1941	14		S	SCHOOL ST	HELMSMAN PRNTG & GRAPHIC
1942	14	A	S	SCHOOL ST	BENEFICIAL FINANCE
1943	15		S	SCHOOL ST	CARLOTTAS
1944	17		S	SCHOOL ST	PRET
1945	20		S	SCHOOL ST	ELIZABETH OF CALIF., THE
1946	22		S	SCHOOL ST	IMAGE HAIR STUDIO
1948	31		S	SCHOOL ST	BANK OF AMERICA
2723	35		S	SCHOOL ST	LODI CHAMBER OF COMMERCE
2933	101		S	SCHOOL ST	CAPITAL THRIFT
1955	121	B	S	SCHOOL ST	KING TSIN RESTAURANT
1957	125		S	SCHOOL ST	SYNOWICKI'S JEWEL BOX
1959	203		S	SCHOOL ST	COTTAGE BAKERY
1960	208		S	SCHOOL ST	POSER'S TV
1961	210		S	SCHOOL ST	JDW DESIGNS INC
1962	212		S	SCHOOL ST	EL PAJARO
1963	213		S	SCHOOL ST	COTTAGE BAKERY
1964	215		S	SCHOOL ST	ROCHA'S MORTUARY
1965	216		S	SCHOOL ST	SECURITY LOCK AND KEY
1966	218		S	SCHOOL ST	KIDCO
1967	220		S	SCHOOL ST	DANZ JEWELERS
1968	222		S	SCHOOL ST	CUTTING EDGE
1969	226		S	SCHOOL ST	BURTON'S SHOES
1970	230		S	SCHOOL ST	FYFFE'S AUTO REPAIR
1971	233		S	SCHOOL ST	LYON'S RESTAURANT
2201	105		W	WALNUT ST	LARRY'S COINS

Page No. 6  
10/09/97

PIN	ADDRESS			
2204	115	1	W	WALNUT ST
2205	115	2	W	WALNUT ST
2206	115	4	W	WALNUT ST
2207	120		W	WALNUT ST

P.O. Box 343, Acampo, CA 95220

SHAKLEE PRODUCTS  
LEN-ELL ENTERPRISES  
CREATIVE SERVICES  
BANK OF STOCKTON  
HAZEL'S RESTAURANT

Added to List:

Current Business Owner  
Weil Motors  
2 West Lockeford Street  
Lodi, CA 95240

Current Business Owner  
First National Bank of Marin  
200 S. School Street  
Lodi, CA 95240



CITY OF LODI  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910

**ADVERTISING INSTRUCTIONS**

**SUBJECT:** PUBLIC HEARING REGARDING RESOLUTION NO. 97-179 ENTITLED, "A  
RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS INTENTION TO  
ESTABLISH THE DOWNTOWN LODI BUSINESS IMPROVEMENT AREA"

**PUBLISH DATES:** MONDAY, OCTOBER 20, 1997  
TUESDAY, OCTOBER 21, 1997  
WEDNESDAY, OCTOBER 22, 1997  
THURSDAY, OCTOBER 23, 1997  
FRIDAY, OCTOBER 24, 1997  
SATURDAY, OCTOBER 25, 1997  
MONDAY, OCTOBER 27, 1997


**TEAR SHEETS WANTED:** ONE

**AFFIDAVIT AND BILL TO:**

ALICE M. REIMCHE  
CITY CLERK

**DATED:** OCTOBER 16, 1997

**ORDERED BY:**

  
JENNIFER M. PERRIN  
DEPUTY CITY CLERK

\_\_\_\_\_  
JACQUELINE L. TAYLOR  
DEPUTY CITY CLERK

\_\_\_\_\_  
SUSAN SEWARD-LAKE  
ADMINISTRATIVE CLERK



## CITY OF LODI

Carnegie Forum  
305 West Pine Street, Lodi

## NOTICE OF PUBLIC HEARINGS

Date: November 5, 1997 (Public Hearing & Meeting)

Date: December 3, 1997 (Public Hearing)

Time: 7:00 p.m.

For information regarding this notice please contact:

**Alice M. Reimche**

**City Clerk**

**Telephone: (209) 333-6702**

### RESOLUTION NO. 97-179

#### A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS INTENTION TO ESTABLISH THE DOWNTOWN LODI BUSINESS IMPROVEMENT AREA

=====

WHEREAS, the California Streets and Highways Code Section 36500 et seq., authorizes cities to establish Parking and Business Improvement Areas for the purpose of promoting economic revitalization and physical maintenance of business areas in order to create jobs, attract new business and prevent erosion of the business area; and

WHEREAS, the Downtown Lodi Business Improvement Area Formation Committee ("the Committee") has requested the Lodi City Council to establish such an Improvement Area.

NOW, THEREFORE, the City Council of the City of Lodi does hereby resolve, determine, and find as follows:

1. The recitals set forth herein are true and correct.
2. The City Council does, at the request of the Committee, and pursuant to the California Streets and Highways Code, declare its intention to establish the "Lodi Business Improvement Area No. 1" ("the Area").
3. The boundaries of the entire area are to be included in the Area, and the boundaries of each separate benefit zone within the Area, are set forth in the Map, EXHIBIT A, incorporated herein by reference. A true and correct copy of the map is on file with the City Clerk of the City of Lodi.
4. The types of improvements and activities proposed to be funded by the levy of the assessments on business in the Area are in EXHIBIT B hereto and incorporated by reference.
5. The City Council intends to levy an annual benefit assessment on businesses in the Area, except where funds are otherwise available, to pay for all improvements and activities of the Area.
6. All funds of the Area shall be expended on improvements and activities within the Area.
7. The method and the basis for levying the assessments on all the businesses within the Area are set forth in the EXHIBIT C hereto, incorporated herein by reference.



8. New businesses shall be exempt from assessment until the next billing period following their establishment occurs.
9. A Public Hearing to establish the Area is hereby set for November 5, 1997, at 7:00 p.m. or as soon thereafter as possible before the City Council of the City of Lodi, at the Carnegie Forum, 305 West Pine Street, Lodi, CA. This Public Hearing shall be deemed to be the Public Meeting called for by California Government Code §54954.6(a)(1). Additionally, the City Council further establishes the date of December 3, 1997 as the date for the Public Hearing called for by California Government Code §54954.6(a)(2). The hearing is to be held before the City Council of the City of Lodi at the Carnegie Forum, 305 West Pine Street, Lodi, CA at 7:00 p.m. or as soon thereafter as possible.
10. At the Public Hearing the testimony of all interested persons, for or against the establishment of the Area interested in matters concerning the boundaries of the Area, the areas of benefit within the Area and the assessments to be levied, will be heard.
11. A protest against the Area, or any aspect of it may be made orally or in writing. An oral protest shall be made at the said Public Hearing. To count in the majority protest against the Area, a protest must be in writing. A written protest may be withdrawn from writing at any time before the conclusion of the Public Hearing. Each written protest shall obtain a written description of the business in which the person signing the protest is interested, sufficient to identify the business, and its address. If the person signing the protest is not shown on the official records of the City of Lodi as the owner of the business, then the protest shall contain or be accompanied by written evidence that the person is the owner of the business. Any written protest as to the regularity or sufficiency of the proceedings shall be in writing and clearly state the irregularity of defect to which objection is made.
12. If at the conclusion of the Public Hearing there are of record, written protest by the owners of the businesses within the Area that will pay fifty percent (50%) or more of the total assessments of the entire Area, no further proceedings to create the Downtown Lodi Business Improvement Area shall occur. New proceedings to form the Area shall not be undertaken again for a period of at least one (1) year from the date of the finding of the majority written protest by the City Council. If the majority written protest is only as to an improvement or activity proposed, then that type of improvement or activity shall not be included in the Area.
13. Further information regarding the proposed Downtown Lodi Improvement Area may be obtained from the City Clerk of the City of Lodi, at City Hall, 221 West Pine Street or telephone (209) 333-6702.
14. The City Clerk is instructed to provide notice of the Public Hearing as follows:
  - a. Publish this Resolution of Intention in a newspaper of general circulation in the City of Lodi once, for at least seven (7) days before the hearing.
  - b. Mail a complete copy of this Resolution of Intention to each and every business owner in the Area within seven (7) days of the adoption of this Resolution by the City Council.
15. This Resolution is effective on its adoption.

Dated: October 15, 1997

=====

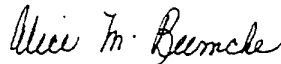
I hereby certify that the foregoing to be a true, full and correct copy of Resolution No. 97-179, duly passed and adopted by the Lodi City Council in a regular meeting held October 15, 1997 by the following vote:

AYES: COUNCIL MEMBERS - Land, Mann, Sieglock, Warner and Pennino  
(Mayor)

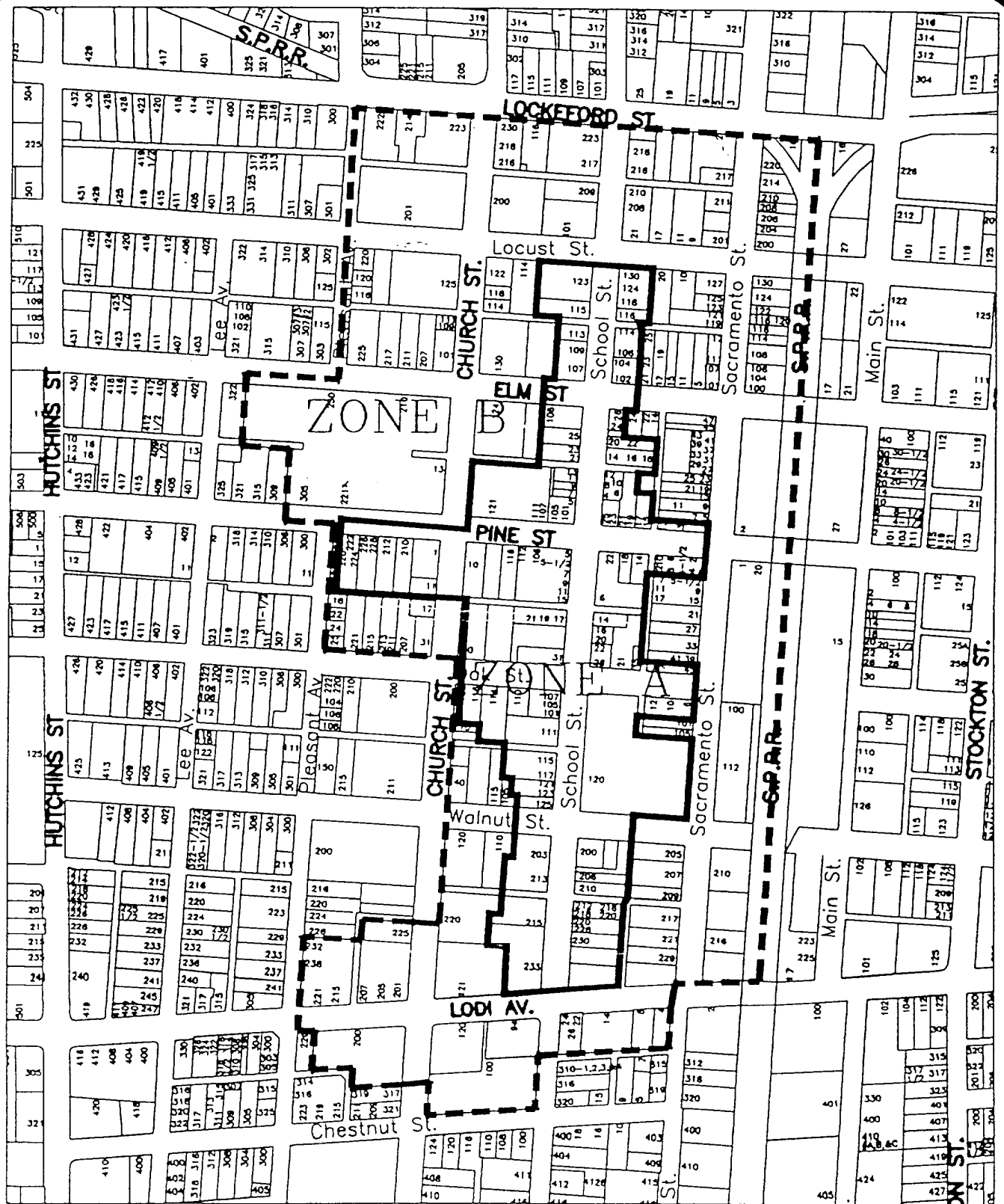
NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None



ALICE M. REIMCHE  
City Clerk



PROPOSED BIA BOUNDARIES

## EXHIBIT B

### NARRATIVE DESCRIPTION OF BIA PROGRAMS

Funds from the BIA will be used to establish but are not limited to the following programs:

A. Image Building:

- “Shop Lodi First” campaign intended to discourage community shoppers from going to nearby malls and community areas.
- Periodic institutional campaigns centered around prime shopping times – Easter, Christmas, etc.

B. Retail Events and Activities:

- Art Fairs
- Street Fairs
- Sidewalk Sales
- Back to School Sales
- Holiday Festivities
- Patriotic Themes

C. Coordinated Marketing Activities:

- Advertising supplements for local newspapers
- Direct mail promotions

D. Streetscape Involvement's

- Trash receptacles
- Flowers and plants at selected locations
- Physical cleanup of streets and sidewalks
- High visibility facade improvements

E. Commercial Recruitment and Retention

- Work with the City's Development coordinator and the Chamber of Commerce to actively seek the most suitable business to fill existing vacancies or vacancies as they occur.
- Provide support services to existing businesses needing assistance in order to remain in the downtown area.

## EXHIBIT C

### AREA ASSESSMENT FORMULA

The BIA is a self-motivated business program funded by an annual assessment based on a formula developed by the Committee, made up entirely of downtown business owners.

The assessment formula is based on type of business and location in order to offer a fair and equitable charge for each business in the Area. The assessment will be collected by the City and turned over in total to downtown businesses for use to fund an annual and year-to-year program of economic stimulation and business enhancement.

All business owners stand to benefit to a much greater extent than what the annual fee might be.

A. Business Type Definitions:

- Retail: The buying and reselling of tangible goods.
- Restaurant and Bar: Selling prepared foods or drinks.
- Lodging: Businesses include inns, hotels, motels, RV Parks and other similar businesses.
- Service: Offers intangible services of a non-professional nature.
- Finance: Offers banking-related services.

B. Proposed Lodi BIA Annual Benefit Fee

	Zone A	Zone B
Retailers and Restaurants	\$200.00 (1-3 emp.) \$300.00 (4-6 emp.) \$400.00 (7+ emp.)	\$100.00 \$150.00 \$200.00
Service Businesses	\$150.00	\$ 75.00
Professional Businesses	\$100.00	\$ 50.00
Financial Institutions	\$500.00	\$500.00



## DECLARATION OF POSTING

On Thursday, October 16, 1997 in the City of Lodi, San Joaquin County, California, a copy of Resolution No. 97-179 attached hereto, marked Exhibit "A", was posted at the following three locations:

Lodi Public Library  
Lodi Police Public Safety Building  
Lodi City Hall Lobby

The above locations are public areas available to the public 24 hours a day.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 16, 1997, at Lodi, California.

ORDERED BY:

**ALICE M. REIMCHE**  
CITY CLERK

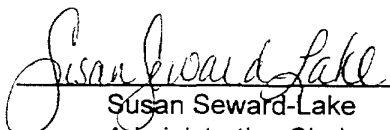
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Jacqueline L. Taylor  
Deputy City Clerk

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Jennifer M. Perrin  
Deputy City Clerk

---

  
Susan Seward-Lake  
Administrative Clerk



## CITY OF LODI

Carnegie Forum  
305 West Pine Street, Lodi

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Date: December 3, 1997 (Public Hearing)  
Time: 7:00 p.m.

For information regarding this notice please contact:

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Telephone: (209) 333-6702

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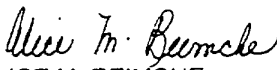
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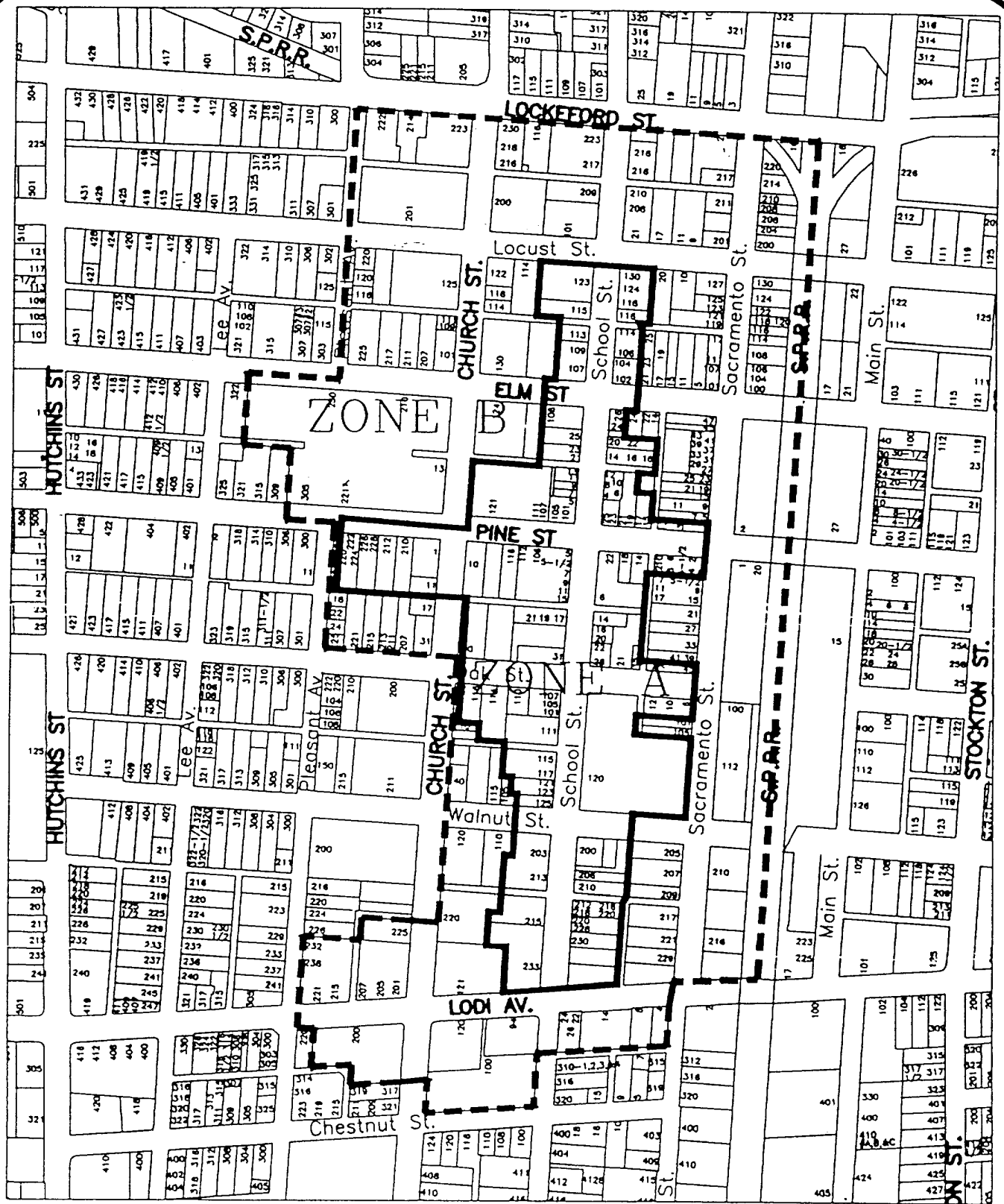
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(Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None

  
ALICE M. REIMCHE  
City Clerk



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Service Businesses	\$150.00	\$ 75.00
Professional Businesses	\$100.00	\$ 50.00
Financial Institutions	\$500.00	\$500.00

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, DECEMBER 3, 1997  
7:00 P.M.**

1. ROLL CALL

Present: Council Members - Land, Mann, Sieglock, Warner and Pennino (Mayor)

Absent: Council Members - None

Also Present: City Manager Flynn, Deputy City Manager Keeter, City Engineer Prima, Community Development Director Bartlam, Economic Development Coordinator Goehring, City Attorney Hays and City Clerk Reimche

2. INVOCATION

The invocation was given by Youth Pastor Brian Siken, Temple Baptist Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pennino.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Mayor Pennino presented Dorean Rice with the Mayor's Community Service Award for her service and dedication to this community. Following receipt of the award, Mrs. Rice introduced her family and expressed her sincere appreciation for receiving this prestigious award.  
FILE NO. CC-6
- b) Patty Steward, Parks and Recreation Commission member and president of the Lodi City Swim Club, presented Mayor Pennino with a check in the amount of \$2,500 towards repayment of its \$24,000 loan from the City of Lodi. To date, the City has received \$12,500 as partial repayment of the loan, leaving a balance of only \$9,000.  
FILE NO. CC-6

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5. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Mayor Pro Tempore Sieglock, Land second, approved the following items hereinafter set forth:

- a) Claims were approved in the amount of \$2,050,877.49 and Disbursements Through Wire Transfer in the amount of \$173,641.46.  
FILE NO. CC-21(a)
- b) The minutes of November 19, 1997 (Regular Meeting) were approved as written.
- c) Adopted Resolution No. 97-196 authorizing the purchase of an automated records management program, File Magic Plus, for the City Clerk's office from Appleby & Company, Inc., of Fresno, California, in the amount of \$19,838.  
FILE NO. CC-12(a) AND CC-300

CITY COUNCIL

PHILLIP A. PENNINO, Mayor  
JACK A. SIEGLOCK  
Mayor Pro Tempore  
KEITH LAND  
STEPHEN J. MANN  
DAVID P. WARNER

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702  
FAX (209) 333-6807

H. DIXON FLYNN  
City Manager  
ALICE M. REIMCHE  
City Clerk  
RANDALL A. HAYS  
City Attorney

November 21, 1997

Youth Pastor Brian Siken  
Temple Baptist Church  
801 S. Lower Sacramento Road  
Lodi, CA 95242

Dear Pastor Siken:

I am pleased to send this letter to you, confirming that you are scheduled to conduct the invocation at the Lodi City Council meeting of December 3, 1997.

This is the meeting in which the City Council reorganizes and elects a new Mayor and Mayor Pro Tempore. This is an important evening for Phillip Pennino who, as outgoing Mayor, will have his family and friends along side him to celebrate his accomplishments and achievements of this past year. He is excited that you have agreed to do the invocation on this special evening.

The meeting will begin at 7:00 p.m. Following the reorganization of the City Council, there will be a reception in foyer of the Carnegie Forum. We would be delighted if you could join us.

If you have any questions, please feel free to give me a call.

Sincerely,

  
Alice M. Reimche  
City Clerk

AMR/JMP